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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4162/2018**

MOHD. MUKEEM

..... Petitioner

Through

Mr.R.N.Sharma, Adv. with petitioner
in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ORS.... Respondent

Through

Mr.Amit Chadha, APP for the State
with SI Yogesh Kumar, PS Timarpur.
Mr.Mukesh Hooda, Adv. with
respondent nos.2 to 5 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.10.2018

1. Vide the present petition, the petitioners have prayed for quashing of cross FIR No.177/2010 registered under Sections 451/448/323/324/341/427/506/34 of the IPC at Police Station Timarpur, Delhi on the basis of a Compromise Deed dated 26th July, 2018.

2. Learned counsel for the petitioner submits that the petitioner as also respondent nos.2 to 5 were neighbours and in the heat of moment, a quarrel had taken place between them, leading to simple injuries to respondent nos.2 to 5. He submits that not only the respondents had made a complaint against the petitioner which led to the registration of FIR No.177/2010, but simultaneously, on the basis of a complaint by the petitioner, FIR No.178 of 2010 was also registered on the same date. He submits that even though the

chargesheet already stands filed and the trial is underway, the parties have now with the intervention of the senior members of the neighbourhood, entered into a compromise and, therefore, pray that the FIR and the consequential proceedings may be quashed.

3. The petitioner as also respondent nos.2 to 5 are present in Court and have been identified by the Investigating Officer. The petitioner and the respondent nos.2 to 5 state that they have entered into the aforesaid settlement of their free will and without any coercion. They further submit that both respondents having settled their disputes with the petitioners i.e. their erstwhile neighbours, do not wish to pursue the proceedings any further and, therefore, pray that the FIR and the consequential proceedings be quashed.

4. I have considered the submissions made by learned counsel for the petitioner as also by Mr.Amit Chadha, learned APP for the State and learned counsel for respondents. In my considered view, keeping in view the fact that the parties were neighbours at whose behest two cross FIRs against each other were registered and also the admitted position that the nature of the injuries to the parties was simple as also the fact that the parties do not wish to pursue the proceedings, the continuation of the aforesaid criminal proceedings will be a futile exercise. The ends of justice demand that the FIR and consequential proceedings be quashed.

5. Accordingly, keeping in view the interest of justice and subject to payment of costs of Rs.10,000/- to be paid by the petitioner within two days to be deposited by the petitioners with the Delhi High Court Staff Welfare Fund, the petition is allowed. A copy of the receipt of

deposit of costs will be handed over to the Investigating Officer who will produce it before the learned Trial Court.

6. The petition is disposed of in the aforesaid terms.

REKHA PALLI, J

OCTOBER 26, 2018/aa