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

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Judgment delivered on: 17.08.2018

+ CRL.M.C. 4170/2018

VIJENDER @ SONU DONALD @ KAILASH & ORS.

..... Petitioners

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Rakesh Sharma, Advocate.

For the Respondent: Mr. Kamal Kumar Ghai, APP for the State.
SI Kartar Singh, PS Bindapur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

17.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.30190/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4161/2018

1. The petitioners seek quashing of FIR No.11/2017 under Sections 427/323/341/506/34 IPC, Police Station Bindapur.

2. The parties are neighbours. The accused/petitioners had come to the shop of the complainant and purchased an item. Thereafter, when they did not pay and were confronted by the complainant, they assaulted

the complainant and damaged some of the goods lying in the shop.

3. Learned counsel for the petitioners submits that the parties have settled their disputes. The petitioners have already compensated the respondent No.2 for the loss sustained by the respondent No.2.

4. The respondent No.2 is present in person and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioners. He further submits that he does not wish to prosecute the complaint any further and is aggregable to the quashing of the subject FIR.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. FIR No.11/2017 under Sections 427/323/341/506/34 IPC, Police Station Bindapur and the consequent proceedings emanating there from are quashed.

7. Order *Dasti* under the signatures of the Court Master.

AUGUST 17, 2018/st

SANJEEV SACHDEVA, J