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

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Judgment delivered on:10.10.2018

+ CRL.M.C. 4489/2018

SACHIN & ORS.

..... Petitioners

versus

STATE (GOVT OF NCT OF DELHI) & ANR. ... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Vivek Kumar, Advocate.

For the Respondents : Mr. Raghuvinder Verma, APP for the State.
Insp. Raj Kumar Saha, SHO New Usman Pur with ASI Suresh Kumar, PS New Usman Pur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. On oral prayer of the petitioners, Mr. Sudhir Kumar, husband of respondent No.2 is impleaded as respondent No.3. Amended memo of parties has been filed along with affidavit. The same is taken on record.

2. The petitioners seek quashing of FIR No.379/2013 under Sections 451/354/324/325/506/34 IPC and Section 3 SC/ST Act,

Police Station New Usmanpur.

3. Parties are related to each other. Respondent Nos.2 and 3 are the daughter-in-law and son of the petitioner Nos.2 and 3. Petitioners Nos.1, 4 and 5 are the other children of petitioner Nos.2 and 3.

4. Subject FIR was registered on the allegation that there was a dispute between the parties with regard to distribution of assets and petitioners are alleged to have misbehaved with the respondent Nos.2 and 3 and even used casteist remarks.

5. Parties were referred to mediation. Parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Karkardooms Courts on 13.04.2018. Learned counsel for the petitioners as well as the respondent Nos.2 and 3 submit that all their disputes pertaining to the subject FIR and other civil disputes have been settled.

6. The respondent Nos.2 and 3 were to be paid a total sum of Rs.50 lakhs in full and final settlement of all their claims. A sum of Rs.33 lakhs has already been paid. The balance sum of Rs.17 lakhs has been agreed to be paid at the time when one of the properties of the family is sold. Petitioners, who are present in Court in person, undertakes that the said amount shall be paid as per the settlement agreement.

7. Respondent Nos.2 and 3 are present in person and identified by

the Investigating Officer. They confirm that they have settled with the petitioners and do not wish to press the complaint any further and have no objection to the quashing of the subject FIR.

8. In view of the fact that the parties have resolved their disputes and respondent Nos. 2 and 3 do not wish to press their 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 there from.

9. In view of the above, the petition is allowed. FIR No.379/313 under Sections 451/354/324/323/506/34 IPC and Section 3 SC/ST Act, Police Station New Usman Pur and the consequent proceedings emanating there from are accordingly quashed.

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

OCTOBER 10, 2018
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SANJEEV SACHDEVA, J