

\$~81

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

%

Judgment delivered on: 11.09.2018

+ CRL.M.C. 4579/2018

DEEPAK @DEEPU & ORS.

..... Petitioners

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners :

Mr. Rashid N. Azam, Adv

For the Respondents:

Mr. Kamal Kr. Ghai, APP for the State.

SI Sandeep Yadav, PS Mehrauli, ND

Mr. Vivek Yadav, Adv. for R-2 with R-2 in person

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 507 of 2017 under Sections 406/34 IPC registered Police Station Mehrauli, New Delhi, based on a settlement.

2. The parties are related to each other. Petitioner no. 1 is the nephew of respondent no. 2- complainant. The subject FIR was registered consequent to a complaint lodged by the complainant contending that his nephew had taken his vehicle by obtaining signatures of his wife who is illiterate. Subsequently, the vehicle was not returned and consequent to which complaint was filed.

3. Learned counsels for the parties submit that with the intervention of the family members and relatives, the parties have amicably resolved their disputes. Compromise deed dated 05.09.2018 has been executed. Respondent no. 2 has received back his vehicle. The original RC is in the custody of the Investigating Officer.

4. The Respondent no. 2 is present in Court, represented by his counsel and is identified by the Investigating Officer. Respondent no. 2 submits that he has settled disputes with the petitioners and does not wish to prosecute the complaint any further against the petitioners and has no objection 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. 507 of 2017 under Sections 406/34 IPC registered Police Station Mehrauli, New Delhi and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 11, 2018
'rs'

SANJEEV SACHDEVA, J