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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. 5029/2018
BIJENDER @ VIJENDRA SINGH & ORS Petitioners

versus

THE STATE & ORS Respondents

+ CRL.M.C. 5083/2018
SHIV KARAN @ SHOKARAN SINGH & ORS. ...Petitioners

versus

THE STATE & ORS Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Vinay Kumar with Ms. Pavitra Veer Singh
and Mr. Lokesh Bharti, Advocates for the petitioners.

For the Respondents: Mr. Kamal Kumar Ghai, APP for the State
with SI Kuldeep, PS Gazipur.
Ms. Lalita and Mr. Ashok Kumar Sharma, Advocates
for the complainant in CRL.M.C. 5029/2018

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.33384/2018 (exemption) in CRL.M.C. 5029/2018

Crl.M.A.33571/2018 (exemption) in CRL.M.C. 5083/2018

Exemptions are allowed subject to all just exceptions.

CRL.M.C. 5029/2018 & CRL.M.C. 5083/2018

1. Petitioners in Crl.M.C. 5029/2018 seek quashing of FIR No. 1059/2015 under Sections 308/323/325/34 IPC, Police Station Ghazipur and the petitioners in Crl.M.C.5083/2018 seek quashing of FIR No.1058/2015 under Sections 325/323/34 IPC, Police Station Ghazipur, based on a settlement.
2. Subject FIRs are cross-FIRs. The parties are neighbours. Subject FIRs were registered consequent to a quarrel which took place between the parties when the complainant in FIR No.1059/2015 was making additions and alterations in his shop, which was objected to by the accused in the said FIR. A fight took place and both parties sustained injuries, consequent to which the respective FIRs were registered.
3. Learned counsels for the parties submit that parties have settled their disputes with the intervention of members of the locality and other family members. Settlement agreement dated 10.09.2018 has been executed between the parties.
4. Petitioners in Crl.M.C.5029/2018 have agreed to pay a total sum of Rs.70,000/- to the complainants in the said petition towards expenditure incurred by them on medical treatment etc.
5. Complainants/respondent Nos.2 to 7 are present in Court in person. They confirm that they have received the said amount of Rs.70,000/-.

6. Complainants in both the FIRs as well as all the accused in the respective FIRs are present in court in person, represented by counsel and are identified by the Investigating Officer. They submit that they have settled all their disputes with each other and are agreeable to the settlement and as such do not wish to press criminal charges against each other any further.

7. In view of the fact that the disputes between the parties have been settled, 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.

8. In view of the above, the petitions are allowed. FIR No. 1059/2015 under Sections 308/323/325/34 IPC, Police Station Ghazipur and the FIR No.1058/2015 under Sections 325/323/34 IPC, Police Station Ghazipur and the consequent proceedings emanating therefrom are accordingly quashed.

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

SANJEEV SACHDEVA, J

OCTOBER 10, 2018
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