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

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Judgment delivered on:26.09.2018

+ CRL.M.C. 4842/2018

SH. SURESH MISHRA

..... Petitioner

versus

THE STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Meena Jha, Advocate.

For the Respondents : Mr. Raghuvinder Verma, APP for the State.
SI RM Ashangsomatai, PS Patel Nagar.
Mr. Shashank Singh, Advocate for respondent No.2
with respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.32673/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4842/2018

1. Petitioner seeks quashing of FIR No.386/2016 under Sections 323/341/354/34 IPC, Police Station Patel Nagar, based on a settlement.

2. Parties are neighbours. It is alleged that on a trivial issue there was an altercation between the parties and the petitioner is alleged to have misbehaved with the complainant.

3. Learned counsel for the petitioner informs that the co-accused was a juvenile and based on the settlement has been acquitted by the Juvenile Justice Board.

4. Learned counsel for the petitioner submits that the parties have settled their disputes with the intervention of residents of the locality and a Settlement Deed dated 20.08.2018 has been executed between the parties. Petitioner has apologised to the respondent No.2 and she has accepted the apology.

5. Respondent No.2 is present in Court in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled the disputes with the petitioner and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

6. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her 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.

7. In view of the above, the petition is allowed. FIR No.386/2016 under Sections 323/341/354/34 IPC, Police Station Patel Nagar and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 26, 2018
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SANJEEV SACHDEVA, J

