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

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Judgment delivered on:25.09.2018

+ CRL.M.C. 4895/2018

SHADAM HUSSAIN

..... Petitioner

versus

STATE OF DELHI & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Parul Rohatgi, Advocate with
petitioner in person.

For the Respondents : Mr. Hirein Sharma, APP for the State
with SI Devender.
Mr. Ishwar Sharma, Advocate for respondent No.2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

25.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No.558/2016 under Sections 354/509 IPC, Police Station Kotwali, based on the settlement.
2. The allegations in the FIR are that the petitioner, who is a tailor, had misbehaved with the complainant respondent No.2 when she had gone for having her clothes stitched. Respondent Nos.3 and 4 are cited as witnesses to the said incident.

3. Learned counsel for the petitioner submits that the parties have settled their disputes. Settlement Deed dated 05.09.2018 has been executed.

4. The petitioner, who is present in Court in person, has expressed remorse at his conduct and has apologised to respondent No.2/complainant.

5. The respondent No.2 and 4 are present in Court in person and identified by the Investigating Officer. Respondent No. 3 is represented by Respondent No. 4. Respondent No. 2 submits that she has settled her disputes with the petitioner and does not wish to prosecute the complaint against the petitioner 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 therefrom.

7. In view of the above, the petition is allowed. FIR No.558/2016 under Sections 354/509 IPC, Police Station Kotwali and the consequent proceedings emanating there from are quashed, subject to

the petitioner depositing costs of Rs.3,000/- with the “*Chief Minister’s Distress Relief Fund (CMDRF), Kerala*”, within a period of two weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today

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

SEPTEMBER 25, 2018
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SANJEEV SACHDEVA, J

नित्यमेव जयते