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

+ **CRL.M.C. 6088/2018**

ASHOK KUMAR & ANR

Through

..... Petitioners
Mr.L.K. Singh, Adv. with petitioners
in person.

versus

THE STATE & ANR

Through

..... Respondents
Mr.Raghuvinder Verma, APP for
the State.
SI Rachna, PS Mukherjee Nagar.
Mr.B.K. Jha, Adv. with
respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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03.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.1293/2015 registered u/s 354-A/509/506/34 IPC at Police Station Mukherjee Nagar, Delhi on the basis of a Settlement Agreement dated 24th February, 2018 arrived at before the Delhi Mediation Centre, Rohini District Courts, Delhi.

2. Learned counsel for the petitioners submits that while the petitioners were residing in House No.700, West Parmanand Colony, Mukherjee Nagar, Delhi on 19th September, 2015, an altercation took place between the petitioners and respondent no.2 on the issue of parking of respondent no.2 vehicle in front of the petitioner no.1's shop which led to complaints by both sides based on which the

captioned FIR as also a cross FIR No.1294/2015 was registered.

3. Learned counsel for the petitioners submits that subsequently, with the intervention of the Counselling Cell of the learned Family Court, Rohini, Delhi, the parties have resolved their disputes amicably and entered into a settlement on 24th February, 2018. He further submits that the petitioners are willing to bear the costs as may be directed by this Court and, therefore, prays that the FIR and consequential proceeding be quashed.

4. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. The respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will and has entered into the settlement dated 24th February 2018 without any coercion. She submits that she also does not want the aforesaid criminal proceedings to continue as she wants to move on in life and, therefore, does not want any further acrimony with the petitioners.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the parties were neighbours and they have now resolved their disputes with the intervention of the Counselling Cell of the learned Family Court, Rohini, Delhi, no useful purpose will be served in continuing the criminal proceedings when the parties themselves want to move on in life. The ends of justice demand that the FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and

consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.10,000/- as costs to the Home for Leprosy & T.B. Affected Beggars, Tahir Pur, Shahdara, Delhi-110 093, within six weeks. A copy of the receipt of payment of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. A copy of this order be also sent to the Superintendent, Home for Leprosy & T.B. Affected Beggars, Tahir Pur, Shahdara, Delhi-110 093 for information and compliance.

8. The petition and pending application are disposed of in the above terms.

REKHA PALLI, J

DECEMBER 03, 2018/aa