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

+ **CRL.M.C. 5419/2018 & CRL.M.A. 34888/2018**

SHRI PATRICK MASI AND OTHERS Petitioners

Through: Mr. Amit Kumar, Adv.

versus

STATE & ANR.

..... Respondents

Through: Mr. Ashish Dutta, APP with
SI Dhan Singh, PS Subzi
Mandi, Delhi
Mr. Subhash Kumar, Adv.
for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.10.2018

The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 praying for the quashing of FIR No.270/2008 dated 27.9.2008 under Section 3 (1)(X) of SC/ST (Prevention of Atrocities) Act, 1989 (in short 'the Act').

Learned counsel for the petitioners submitted that the respondent No.2 made complaints against the petitioners on 16.7.2008 as well as on 25.7.2008 to the SHO, Police Station Subzi Mandi, Delhi. Thereafter, the respondent No.2 filed a complaint under Sections 156 (3) and 200 of the Code of Criminal Procedure, 1973, before the Court of CMM, Delhi on 16.9.2008 and later, FIR No.270/2008 dated 27.9.2008 was registered under Section 3(1)(X) of the Act on the direction of the Court of CMM. Thereafter, charge was framed against the petitioners on 24.4.2014. However, due to

intervention of the respectable people of the society, both the parties have settled the matter and all the controversy and misunderstandings crept up between the parties have been removed. There are now no grievances among the parties as they have amicably settled the matter and pray that the FIR be quashed.

Learned counsel for the respondents as well as Investigating Officer present in the Court, have identified respondent No.2, Smt. Shanti. Respondent No.2, on queries of the Court, submitted that she has settled the dispute on her own free will, without any pressure or coercion and that FIR No.270/2008 dated 27.9.2008 be quashed in view of the settlement arrived at between the parties.

Learned counsel for the petitioners has relied upon the judgment of this Court in CrI. M.C. 3649/2015, titled ***Om Prakash Sharma & Ors. vs. State & Anr*** decided on 18.12.2015 and submitted that in view of the settlement arrived at between the parties, FIR No.270/2008 dated 27.9.2008 under Section 3 (1)(X) of the Act may be quashed. Learned APP has admitted the ratio of the law laid down in the aforesaid judgment.

In view of the above submissions and circumstances as well as taking into consideration the settlement arrived at between the parties and the fact that both the parties want to live peacefully, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.270/2008 dated 27.9.2008 under Section 3 (1)(X) of the Act is quashed.

Petition is disposed of in above terms. CrI.M.A.34888/2018 is also disposed of.

CHANDER SHEKHAR, J

OCTOBER 26, 2018/rk