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

+ CRL.M.C. 5572/2018 & CrI.M.A. No.35489/2018 (for exemption)

RAJU @ RAJA RAM & ORS

..... Petitioners

Through: Mr.Vijay Kasana, Adv. with
petitioners in person.

versus

STATE & ANR

..... Respondent

Through: Mr.Mukesh Kumar, APP for the State
with SI Bachchan Singh, PS Keshav
Puram.
Mr.Manu Padalia, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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01.11.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.422/2018 under Sections 325/34 of the IPC registered at Police Station Keshav Puram, Delhi and all proceedings emanating therefrom, on the basis of a Settlement Deed dated 08.10.2018.

2. Learned counsel for the petitioners submits that the petitioners as also the respondent no.2 belong to the same village in Rajasthan and are working in the same area. He submits that due to some misunderstanding, there was a minor scuffle between the parties leading to the filing of a complaint by the respondent no.2, which

culminated into the registration of the captioned FIR. He, however, submits that the complaint was made by the respondent no.2 in the heat of moment and the parties have now with the intervention of common friends, resolved their disputes vide settlement deed dated 08.10.2018 in order to restore peace and harmony in their life. He, therefore, prays that the FIR and consequential proceedings be quashed.

3. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. The petitioners and the respondent no.2 state that they have entered into the aforesaid settlement of their own free will and without any coercion. Respondent no.2 further submits that he has settled his disputes with the petitioners and since they all belong to the same native place, he does not wish to pursue the criminal proceedings any longer and, therefore, prays that the FIR and consequential proceedings be quashed.

4. I have considered the submissions made by learned counsel for the parties and perused the record. Keeping in view the fact that the parties have voluntarily entered into a settlement, I find that continuation of the criminal proceedings will be an exercise in futility and would create further acrimony between the parties who are neighbours from the same native village. The ends of justice demand that the FIR and consequential proceedings be quashed.

5. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to costs of Rs. 10,000/- payable by the petitioners and Rs.5,000/-

payable by the respondent no.2 to Delhi High Court Staff Welfare Fund within two weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court on the next date.

6. The petition is disposed of in the above terms along with the pending application.

REKHA PALLI, J

NOVEMBER 01, 2018

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