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

+ **CRL.M.C. 5607/2018**

UMESH GIRI & ANR. Petitioners

Through: Mr.Jai Gopal Garg & Mr.Vishal,
Advts. with petitioners in person.

versus

STATE & ANR. Respondents

Through: Mr.Mukesh Kumar, APP for the State
with ASI Rohtash, PS Karawal Nagar
Mr.Sanjeev Kumar Sharma, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **02.11.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.346/2015 under Sections 308/34 of the IPC registered at Police Station Karawal Nagar, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties.

2. Learned counsel for the petitioners submits that the petitioners are the brothers-in-law of the respondent no.2/complainant. He submits that due to a petty dispute, a quarrel had taken place between the petitioners and the respondent no.2, pursuant where to the respondent no.2 filed a complaint against the petitioners which culminated into the registration of the aforesaid FIR.

3. Learned counsel for the petitioners 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 elders of the family, resolved their disputes. He, therefore, prays that the captioned 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 settlement of their own free will and without any coercion. Respondent no.2 categorically states that he has voluntarily settled his disputes with the petitioners since they are closely related to him and does not wish to pursue the criminal proceedings any longer as it will bring more acrimony in the family. He, therefore, prays that the FIR and consequential proceedings be quashed.

4. I have considered the submissions made by the learned counsel for the parties and perused the record. Keeping in view the fact that the parties have voluntarily entered into a settlement as also the admitted position that the nature of the injuries caused to the respondent no.2 were simple, I find that the continuation of criminal proceedings will be an exercise in futility and would create further acrimony between the parties who are closely related to each other. 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 to Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank. Delhi, IFSC

Code UCBA0001820 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.

REKHA PALLI, J

NOVEMBER 02, 2018

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