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

+ CRL.M.C. 5797/2018 & CrI.M.A. No.47542/2018 (for exemption)

SMT. BEENA DEVI & ORS.

..... Petitioner

Through: Mr.Gopesh Tripathi & Mr.Sanjay
Gaur, Advs. with petitioners in
person.

versus

STATE & ANR.

..... Respondents

Through: Ms.Manjeet Arya, APP for the State
with SI Dharmendra Kumar, PS
Shahdara.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **19.11.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.0496/2017 under Sections 308/34 of the IPC registered at Police Station Shahdara, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties on 24.03.2018.

2. Learned counsel for the petitioners submits that the petitioners and the respondent no.2 are neighbours. He submits that due to a misunderstanding, a quarrel took place between the parties on 17th December, 2017, leading to the registration of cross FIRs. The captioned FIR was registered at the behest of the respondent no.2 and

a cross FIR being FIR No.497/2017 was lodged pursuant to a complaint made by Mr.Amit Kumar @ Murli/petitioner no.4. However, with the intervention of the senior members of the locality, the parties have now resolved their disputes and have entered into a compromise deed dated 24th March, 2018, in accordance with which the petitioner no.4 will be immediately taking steps for compounding of the FIR no.497/2017 filed by him against the respondent no.2. He further submits that the petitioners as also the respondent no.2 do not want the criminal proceedings to continue any further and, 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. I have interacted with the respondent no.2 who states that he has resolved his dispute with the petitioners of his own free will and entered into the compromise deed dated 24th March, 2018 without any coercion. He prays that the captioned FIR and consequential proceedings be quashed as he does not want any further acrimony with his neighbours.

4. I have considered the submissions of the learned counsel for the parties and perused the records. Keeping in view the fact that the present FIR was a result of minor misunderstanding between the parties as also the admitted position that the nature of the injuries alleged to have been 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 neighbours. 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 High Court Advocates Welfare Trust within one week 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 along with the pending application is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 19, 2018

gm