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

+ CRL.M.C. 5899/2018

NEERAJ & ORS

..... Petitioners

Through: Mr.H.N. Pandey, Adv. with
petitioners in person.

versus

STATE (NCT DELHI) & ORS

..... Respondents

Through: Ms.Manjeet Arya, APP for the State
with ASI Jagpal Singh, PS Sonia
Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **26.11.2018**

1. At the outset, learned counsel for the petitioners submits that due to an inadvertent mistake on his part, the affidavit of the petitioner no.2 could not be filed. He hands over the affidavit of the petitioner no. 2 in Court today and the same is taken on record.
2. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.242/2016 registered u/s 308/341/506/34 IPC at Police Station Sonia Vihar, Delhi on the basis of a settlement arrived at between the parties.
3. Learned counsel for the petitioners submits that the petitioners as also the respondent no.2 are young students who are neighbours living in the locality of Sonia Vihar. Due to a misunderstanding between the parties on 04.07.2016, a minor quarrel took place

between them which led to the filing of complaints by the petitioner no.1 and the respondent no.2. He submits that based on the complaint of the respondent no.2, the captioned FIR was registered against the petitioners, whereas on the basis of the complaint made by the petitioner no.1, a cross FIR bearing no.243/2016 was registered. However, with the intervention of the parents of the parties and respected members of the locality, the parties have now resolved their disputes and have entered into a settlement. 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.

4. 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 petitioners as also the respondent no.2, who jointly state that they are young students and the FIR was a result of a minor altercation between them due to a misunderstanding. They further state that they have decided to resolve all their differences out of their own free will and have entered into the settlement without any coercion. They pray that the captioned FIR and all consequential proceedings be quashed as the continuation of the aforesaid criminal proceedings will not only harm their academic career but also cause grave hardship to them.

5. I have considered the submissions of the learned counsel for the parties and perused the records. Keeping in view the fact that the captioned FIR emanates from an altercation between the parties which led to the registration of cross FIRs, that the parties have now

resolved their disputes themselves 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 captioned FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to costs of Rs. 5,000/- payable by each of the petitioners to the Delhi High Court Bar Association Library Fund within four 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.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 26, 2018

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