

\$~36

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

+ **CRL.M.C. 5935/2018**

MR. ASHISH KHARI & ORS. Petitioners
Through **Mr.S.B. Dinkar, Adv. with petitioners**
in person.

versus

STATE & ORS. Respondents
Through **Mr.Mukesh Kumar, APP for the**
State.
Mr.Abhishek Khari, Adv. with R-2 &
3 in person.
SI Kuldeep Kadayan, PS Bharat
Nagar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

27.11.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.605/2014 registered u/s 324/341/427/34 IPC at Police Station Bharat Nagar, Delhi on the basis of a Compromise Deed dated 4th September, 2018.

2. Learned counsel for the petitioners submits that the petitioners as also the respondent nos.2 & 3 are neighbours living in Wazirpur Village, Ashok Vihar and have known each other for the last many years. Due to a misunderstanding, a scuffle took place between the parties on 7th November, 2014, as a result of which the respondent no.3 sustained simple injuries. Consequently, the respondent nos.2 &

3 filed a complaint which led to the registration of the aforesaid FIR against the petitioners.

3. Learned counsel for the petitioners further submits that after the registration of the FIR, the parties with the intervention of senior members of the locality, have now resolved their disputes and have entered into a Compromise Deed dated 4th September, 2018. He prays that keeping in view the fact that the nature of the alleged injuries caused to the respondent no.3 is simple as also the fact that the parties have already resolved their disputes, the captioned FIR and proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent nos.2 & 3 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent nos.2 & 3 who state that they have decided to resolve all their differences with the petitioners of their own free will and have entered into the settlement without any coercion. They further submit that they do not want the aforesaid criminal proceedings to continue as they do not want any further acrimony with the petitioners who are their neighbours.

5. I have considered the submissions of the learned counsel for the parties and perused the records. Keeping in view the fact that the parties are neighbours as also the fact that the scuffle between them arose out of a misunderstanding, I find that no useful purpose will be served in continuing with the criminal proceedings as the same will not only cause hardship to the parties but also cause further acrimony between them.

6. Accordingly, the petition is allowed and the captioned FIR and consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.10,000/- each as costs to the 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.

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

REKHA PALLI, J

NOVEMBER 27, 2018/aa