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

+ CRL.M.C. 6106/2018 & CRL.M.A. 48640/2018

ANIL & ANR.

..... Petitioner

Through Mr.Hari Shankar with Mr.Santosh
Kumar, Advs.

versus

STATE & ORS.

..... Respondent

Through Ms.Manjeet Arya, APP with ASI
Ravinder Kumar, PS Vijay Vihar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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03.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.1060/2017 registered u/s 323/341/509/308/34 IPC at Police Station Vijay Vihar, Delhi on the basis of a Compromise Deed dated 22.11.2018.

2. Learned counsel for the petitioners submits that the petitioners as also the respondent nos.2 to 4 are neighbours living in Mange Ram Park, Budh Vihar. However, due to a misunderstanding, a quarrel took place between the parties on 19.08.2017, as a result of which, the respondent no.2 sustained injuries. Consequently, the father of the respondent no.2, namely late Mr.Achhan Khan, filed a complaint which led to the registration of the aforesaid FIR against the petitioners. He further submits that a cross complaint was made by the petitioner no.1 leading to the registration of FIR No.1057/2017

besides FIR No.1060/2017 being registered at the behest of late Mr.Achhan Khan.

3. Learned counsel for the petitioners submits that after the registration of the FIRs, the parties have now resolved their disputes with the intervention of neighbours and have entered into a Compromise Deed dated 22.11.2018. He draws my attention to the fact that the aforesaid FIR registered on the basis of the complaint made by the petitioner no.1 stands quashed by a co-ordinate bench of this Court by orders passed in CrI.M.C.6109/2018. He further submits that keeping in view the fact that the nature of the alleged injury caused to the respondent no.2 is simple and 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 to 4 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent nos. 2 to 4, who state in unison 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 altercation between them arose out of a misunderstanding, no useful purpose will be served in continuing with the criminal proceedings as the same will

not only cause hardship to the parties but will 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/- as costs to the 'Home for Leprosy and T.B. Affected Beggars', Tahir Pur, Delhi-110093 within two weeks from today. A copy of this order be sent to the Superintendent, Home for Leprosy and T.B. Affected Beggars, Tahir Pur, Delhi-110093 for information. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer, who will produce the same before the learned Trial Court.

7. The petition alongwith pending application is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 03, 2018

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