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

+ **CRL.M.C. 339/2018**

NISHA JAIN & ANR

..... Petitioners

Through Mr. S.S. Jain with Ms. Meena,
Advocates.

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondents

Through Mr. Mukesh Kumar, APP for State.
Mr. Mahendra Sharma with Mr.
Himanshu Wadhwa, Advocates for
respondent No.2.
SI Devender, PS Sadar Bazar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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22.01.2018

Crl.M.A. 1286/2018 (exemption)

Exemption is allowed subject to all just exceptions.

Crl.M.A. 1287/2018 (for condonation of delay in re-filing)

For the reasons stated in the application, the application is allowed. The delay in re-filing of the petition is condoned.

CRL.M.C. 339/2018

1. The petitioners, by this petition, seek quashing of FIR No.64/2010 under Section 380/448/34 IPC, Police Station Sadar Bazar, lodged by respondent No.2.

2. The relation between the parties is that of landlord and tenant. It is contended that on account of some issues with regard to the tenanted premises, the subject FIR was lodged.
3. The parties have since settled their disputes through the process of mediation held at the Delhi Mediation Centre, Tis Hazari Courts, Delhi and consequent to the settlement, all disputes between the parties have been resolved.
4. The petitioners have agreed to pay a sum of Rs.60,000/- to the respondent No.2. A sum of Rs.30,000/- has already been paid to the respondent No.2. The balance sum of Rs.30,000/- has been paid to the respondent No.2 in cash today.
5. The respondent No.2, who is present in person and is identified by the Investigating Officer, submits that she has settled the disputes with the petitioners and does not wish to prosecute the present complaint.
6. In view of the fact that the disputes between the parties emanate out of a discord between the landlord and the tenant and the parties have since settled their disputes and the respondent No.2/complainant does not wish to prosecute the complaint lodged by her, in my view, no fruitful purpose would be served in continuing with the criminal proceedings as there is a very slim chance of conviction in the present case and it would also be expedient and in the interest of justice, that the subject FIR and the proceedings arising therefrom are quashed.

7. In view of the above, the subject FIR No.64/2010 under Section 380/448/34 IPC, Police Station Sadar Bazar and the consequent proceedings emanating therefrom are quashed.

8. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 22, 2018
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