

\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6507/2018 & CRL.M.A. 50224/2018**
DEEPAK & ORS Petitioners

Through: Mr. Sanjay Kumar, Advocate

versus

THE STATE (NCT OF DELHI) & ORS Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Ravinder, PS:Alipur,
Delhi

Mr. Saurabh Mehra & Mr.
Vineet Kumar, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

19.12.2018

CRL.M.A. 50224/2018

Allowed, subject to all just exceptions. The application is
disposed of.

CRL.M.C. 6507/2018

1. The petitioners have moved the present petition under
Section 482 of the Code of Criminal Procedure, 1973 (Cr. PC)
for quashing of FIR No.0204/2018, under Sections
354/451/323/34 of the Indian Penal Code, 1860 ('IPC'),
registered at PS:Alipur, Delhi and the subsequent proceedings
emanating therefrom.

2. The petitioners and respondent No.2 and their respective counsel submitted that the petitioners and respondent No.2 are neighbours and are residing in the same locality. The learned counsel for the parties further submitted that the respondent No.2 lodged a complaint with regard to some quarrel between him and the petitioners and thereafter, on account of some misunderstanding, there was a dispute between the petitioners and respondent No.2, which led to the registration of the present FIR. It is further submitted by the respective counsel for the parties that the parties have already settled their disputes on their own free will, without any force, coercion or pressure at the time of hearing the anticipatory bail application before the Court of District & Sessions Judge, District North, Rohini Courts, Delhi, as is evident from the proceedings of the concerned Court placed on record at pages 45-46, dated 24.5.2018. It is also submitted by the learned counsel for the parties that the petitioners and respondent No.2 may be given a chance to reform and live a happy and peaceful life. The petitioners and respondent No.2 assured the Court that they shall not fight in future and shall live as good citizens.

4. The Investigating Officer ('IO') has identified the petitioners as well as the respondents and has also verified the Compromise arrived at between the parties. The IO stated that the parties have no criminal antecedents, except the present FIR and the cross-FIR lodged against each other, for the quashing of

which the present petition has been filed.

5. In view of the aforesaid circumstances, the settlement arrived at between the parties and the assurance given by the parties that they shall not fight in future and may be given a change to reform and allowed to live happy and peaceful lives, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 0204/2018, under Sections 354/451/323/34 of the Indian Penal Code, 1860 ('IPC'), registered at PS:Alipur, Delhi and the subsequent proceedings emanating therefrom are quashed, subject to the petitioners depositing Rs. 5,000/- with the Delhi High Court Advocates' Welfare Fund within ten days. The petitioners shall also deposit Rs.5,000/- with Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within ten days and the receipts of the same be filed in the Registry of this Court within two weeks and copies of the said receipts shall also be handed over to the learned APP through the IO. In case the petitioners fail to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 19, 2018

tp