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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5411/2017

ANIL & ORS

..... Petitioners

Through

Mr. Sameer Chandra with Mr. Vineet Jindal and Mr. Tushar Chhabra, Advocates.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Through

Mr. Mukesh Kumar, APP for the State.
ASI Pradeep Kumar, P.S. Alipur.
Mr. Zubair Raza, Advocate for respondent Nos.2 to 4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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31.01.2018

Crl.M.A. 21147/2017 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5411/2017

1. The petitioners seek quashing of FIR No.579/2016 under Sections 323/324/341/506/34 IPC, Police Station Alipur.
2. It is contended that the parties are related to each other. The petitioners are nephews of the victim (respondent No.2). It is contended that because of a misunderstanding and on the heat of moment without any premeditation, a fight took place which resulted in the incident. The parties have settled their disputes through the intervention of senior members of the family as well as the respectable people of the locality.

3. Respondent Nos.2 to 4 are present in Court in person and are represented by their counsel and are identified by the Investigating Officer. They submit that they have settled their all disputes with the intervention of family members and respectable people of the locality. They further submit that they do not wish to press the criminal complaints against each other any further.

4. In view of the fact that parties are family members and the disputes between the parties have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored in the family; securing the ends of justice being the ultimate guiding factor. It would also be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

5. In view of the above, the petition is allowed. FIR No.579/2016 under Sections 323/324/341/506/34 IPC, Police Station Alipur and the consequent proceedings emanating therefrom are, accordingly quashed, subject to the petitioners depositing cost of Rs.10,000/- each with the “*Prisoners Welfare Fund, Jail No. 14, Mandoli*”, Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi within four weeks. The receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of five weeks from today.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 31, 2018
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