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

+ CRL.M.C. 5538/2018

INDER SINGH @ BABLOO

..... Petitioner

Through: Mr. Prakash, Advocate with petitioner in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State with SI Gajendra Kumar, P.S. Chhawla, Delhi

Mr. Deepak Garg, Advocate respondent No.2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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19.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 446/2014 under Section 336 IPC and Section 27 Arms Act, registered at Police Station Chhawala, Delhi on the ground of settlement having been arrived at between the parties.
2. The present FIR was registered in pursuance of the complaint made by respondent No.2 wherein it was alleged that the petitioner entered his house and started abusing his mother and when respondent No.2 objected to the same, he tried to threaten the petitioner by firing two shots in the air using his revolver.
3. Learned APP for the State submits that the charge sheet in the present case has been filed against the present petitioner and respondent No. 2 is the only complainant/victim.
4. Learned counsel for the petitioner, on instructions, submits that the petitioner will surrender his revolver as well as the licence before the concerned SP.

5. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Compromise Deed / Memorandum of Understanding dated 17.09.2018. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioner.

6. The petitioner and respondent No.2, who are present in person, are identified by their respective counsels and the Investigating Officer. The petitioner has shown remorse for his conduct and has undertaken not to repeat the same in future.

7. Respondent no. 2 states that he has entered into the settlement with the petitioner out of his own free will, volition and without any undue force, pressure or coercion. He further states that the petitioner has not repeated the same incident and he has no objection if the present FIR and consequent proceedings are quashed.

8. Learned counsels for the parties submit that besides the present FIR there is another connected FIR, FIR No.447/2014 under Sections 354/354(B)/509/323/34 IPC registered at Police Station Chhawala, which has also been settled vide Compromise Deed / Memorandum of Understanding dated 17.09.2018.

9. The parties shall remain bound by their statements made in Court today.

10. In view of the settlement arrived at between the parties, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to cost of Rs.5,000/-. The same shall be deposited with the *Delhi High Court Legal*

Services Committee within two weeks from today. Receipt evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

11. With the above directions, the petition is disposed of.

12. The Investigating Officer is to ensure that this order is communicated to the concerned SP.

13. Order *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 19, 2020

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