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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 17.05.2021

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CRL.M.C. 979/2021 & CRL.M.A. 4978/2021

PRADEEP MALIK & ORS. Petitioners
Through: Mr. Aman Usman, Advocate

Versus

NCT OF DELHI (STATE) & ANR. Respondents
Through: Mr. Panna Lal Sharma, Additional
Public Prosecutor for respondent
No.1/State with SI Dundersee
Mr. Gaurav Sharma, Advocate
with respondent No.2 in person.

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CRL.M.C. 987/2021 & Crl.M.A. 5031/2021

MR MANOJ & ANR. Petitioners
Through: Mr. Gaurav Sharma, Advocate

Versus

NCT OF DELHI (STATE) & ANR. Respondents
Through: Mr. Panna Lal Sharma, Additional
Public Prosecutor for respondent
No.1/State with SI MahiPal
Mr. Manu Sharma, Advocate with
Respondent No.2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

The hearing has been conducted through video conferencing.

1. The above captioned two petitions pertain to common incident which occurred on 31.01.2021 at around 10:45 PM at WTC Club, Hauz Khas, New Delhi when a conflict took place between the parties to these petitions, which resulted into two FIRs at police station Hauz Khas, New Delhi. The first captioned petition pertains to FIR No. 48/2021, under Sections 354/323/341/34 IPC and the second captioned petition pertains to FIR No. 47/2021, under Section 308/34 IPC.

2. Notice issued.

3. Mr. Panna Lal Sharma, learned Additional Public Prosecutor for State, accepts notice and submits that Sakshi Chauhan, who is the complainant of FIR No. 48/2021 and Pradeep Malik, who is the complainant of FIR No. 47/2021, are present through video conferencing and they have been identified by the Investigating Officers of these cases, who are also present through video conferencing.

4. With the consent of both the sides, the present petition has been
CRL.M.C. 979/2021 & CRL.M.C. 987/2021

taken up for final hearing and disposal.

5. Learned counsel for petitioners submit that the subject matter of these FIRs has been amicably resolved in terms of Settlement Agreement dated 26.02.2021 and now no grievance amongst the parties survives and continuance of proceedings arising out of these FIRs would be nothing but a burden on the State machinery.

6. Sakshi Chauhan, complainant of FIR No. 48/2021 and Pradeep Malik, complainant of FIR No. 47/2021, are present through video conferencing and they affirm the factum of resolution of dispute in terms of Settlement Agreement dated 26.02.2021 reached between the parties. They affirm the contents of their affidavits placed on record in support of these petitions and submit that no grievance against each other survives and so, the FIRs in question and proceedings emanating therefrom be quashed.

7. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

8. For the reasons afore-recorded, FIR No. 47/2021 and FIR No. 48/2021, both registered at police station Hauz Khas, New Delhi and consequent proceedings emanating therefrom are hereby quashed.
9. The petitions are, accordingly, allowed and disposed of.
10. Pending applications are disposed of as infructuous.

(SURESH KUMAR KAIT)
JUDGE

MAY 17, 2021

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