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

+ CRL.M.C. 1059/2022

PRATAP SINGH AND OTHERS

..... Petitioner

versus

THE STATE AND OTHERS & ANR.

..... Respondents

+ CRL.M.C. 1432/2022

RAKESH KUMAR AND ANR.

..... Petitioners

versus

THE STATE AND ORS.

..... Respondents

Present: Mr.Vikas Sharma, Advocate for the petitioners in item no.12
with all the petitioners in person.
Ms.Sushila Kr.Khari, Advocate for the petitioners in item no.13
Mr.Hemant Mehla, APP for the state with Mr.Dipanshu Meena,
Advocate with SI Ajay Sharma, PS Kalyanpuri.

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Date of Decision: 04.05.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

CRL.M.C. 1059/2022&CRL.M.C. 1432/2022

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DINESH KUMAR SHARMA, J. (Oral)

1. Present petition has been filed seeking quashing of FIR No.0325/2016 u/s 323/354B/34 IPC & FIR No.0326/2016 dated 27.07.2016 u/s 308/323/34, PS Kalyan Puri.
2. Briefly stated facts of the case are that the parties are neighbours living in the same locality, they filed the above-mentioned Cross-FIRs after a fight that erupted between them. The investigation in the above FIRs is complete and the matter is pending before the learned MM at an initial stage.
3. It has been submitted that during the pendency of the proceedings, with the intervention of family members and respectable persons of the society, the parties have settled the matters between themselves without any considerable amount. It has been submitted that both parties have compromised the matters between each other voluntarily vide MOU dated 15.02.2023 and thus the present FIRs may be quashed.
4. The terms and conditions of the said MOU dated 15.02.2023 are as under:—

“That pursuant to the mutual settlement the Party No-1 and 2 shall support each other in withdrawing compounding/quashing of the FIR registered by them against each other by filling appropriate petition before Hon'ble Delhi High Court.”
5. The parties are present in person and have duly been identified by the IO. They have stated that they have compromised the matter voluntarily without any fear, force or coercion.



6. It has been repeatedly held by the Hon'ble Supreme Court and this court that when the chances of an ultimate conviction are bleak and no useful purpose is likely to be served by allowing a criminal prosecution to continue, and where the court may be of the opinion that a settlement between the parties would lead to better relations between them, the court may exercise the power under section 482 CrPC for quashing the proceedings or the complaint or the FIR as the case may be.
7. I consider that the present case is a dispute of private nature and since the parties have amicably settled their disputes, no purpose would be served in continuing with the proceedings. In view of the above facts and circumstances, FIR No.0325/2016 u/s 323/354B/34 IPC & FIR No.0326/2016 dated 27.07.2016 u/s 308/323/34, PS Kalyan Puri along with all the proceedings emanating therefrom are quashed
8. The present petitions along with pending applications stands disposed of.

DINESH KUMAR SHARMA, J

MAY 4, 2023

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