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

+ CRL.M.C. 5374/2022
ANISHA MANDAL AND ORS Petitioners
Through: Mr. Lokesh Kumar and Mr. Vinod C.,
Adv.
versus
STATE AND ORS Respondents
Through: Mr. Hemant Mehla, APP for the State
with SI Uday Narayan Dubey,
DIU/North
+ CRL.M.C. 5375/2022
LALITA @ PINKI AND ORS. Petitioners
Through: Mr. Lokesh Kumar and Mr. Vinod C.,
Adv.
versus
THE STATE AND ANR. & Respondents
Through: Mr. Hemant Mehla, APP for the State
with SI Uday Narayan Dubey,
DIU/North

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Date of Decision: 29.08.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The two petitions are filed under Section 482 Cr.PC seeking quashing

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of case FIR No. 224/2016 registered at PS Subzi Mandi, under Sections 323/354B/509/34 IPC in petition bearing CRL.M.C. 5374/022 and FIR No. 225/2016 registered at PS Subzi Mandi, under Sections 323/354/354B/506/509/451/34 IPC in petition bearing CRL.M.C. 5375/2022.

2. The brief facts of the case are that 6 months prior to the incident, allegedly, a loan of Rs. 1,50,000 was extended to Anisha Mandal, Petitioner no.1 in CRL.M.C. 5374/2022, by Ravi Shankar, Petitioner no. 4 in CRL.M.C. 5375/2022. However, during the discourse of repayment of loan, an altercation took place between the parties wherein the families of both parties became involved as well leading to the current cross-FIR's being lodged.
3. Learned APP for the State has verified that the petitioner No.5 in CRL.M.C. 5375/2022, Rajni, wife of Banwari Lal has expired.
4. However, it is submitted that the parties have reached on a settlement vide MOU dated 29.07.2022 on following terms and conditions:
 1. That the petition for quashing the FIR's bearing No. 224/2016 & 225/2016 shall be filed within 7 days and both the parties also Undertake to support the petition by appearing and giving their respective statements.
 2. That both the parties shall withdraw all the Civil cases, Criminal Case, Criminal Revision, complaint if any filed before any court or authority within 30 days after the quashing of the FIR's.
 3. That both the parties will sign separate affidavit for the quashing of the above mentioned FIR's.



4. That both the parties shall not claim any compensation or damages from each other in future.
5. That both parties shall not interfere in life of each other and stay away from each other.
5. The parties are present and have been duly identified by the IO.
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, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, the court may exercise power under section 482 CrPC for quashing the proceedings or the complaint or the FIR as the case may be.
7. I consider that there would be no purpose of continuing with the proceedings and do not see any reason to reject the settlement.
8. Taking into the account the totality of facts and circumstances the present FIR No. 224/2016 registered at PS Subzi Mandi, under Sections 323/354B/509/34 IPC along with FIR No. 225/2016 registered at PS Subzi Mandi, under Sections 323/354/354B/506/509/451/34 IPC, and all the other proceedings emanating therefrom are quashed.
9. The present petition stand disposed of.

DINESH KUMAR SHARMA, J

AUGUST 29, 2023

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