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

+ CRL.M.C. 3400/2024, CRL.M.A. 13067/2024

BISHAL SARKAR

.....Petitioner

Through: Mr.Arun Thapa and Mr.Sarfaraz Ahmad,
Advocates.

versus

STATE NCT OF DELHI THROUGH THE SHO & ANR.

.....Respondents

Through: Mr.Hitesh Vali, APP with Ms.Snighdha
Sood, Advocate.

SI Yashveer Sharma, PS Govindpuri.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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10.09.2024

1. This petition has been filed seeking quashing of FIR No.73/2023, under Sections 307 / 34 IPC PS Govind Puri.
2. Both the petitioner and respondent No.2 are present in the Court and identified by the IO.
3. Respondent No.2 states that both parties are neighbors and the present dispute arose out of a scuffle between them. Parties have arrived at a settlement dated 16th April 2024 which is on record. Further, respondent no.2 states that he has no objection to the quashing of the present FIR.



4. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. The present FIR is quashed *qua* the petitioner considering there are two other accused in the matter.

5. Consequently, the FIR No.73/2023 under Sections 307 / 34 IPC PS Govind Puri and proceedings emanating therefrom, are quashed, *qua* the petitioner, subject to the petitioner paying the complainant/respondent no.2 Rs.10,000/- since he belongs to economically weaker strata and the same to be paid within two weeks from today and an affidavit of compliance be filed within two weeks thereafter.

6. Parties shall abide by the terms of settlement.

7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

SEPTEMBER 10, 2024/VLD/na