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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2201/2024**
SUDHAKAR & ANR.

.....Petitioner
Through: Ms. Sapna Nirwan and Mr. Roshan
Kumar, Advocates.

versus

THE STATE (NCT OF DELHI) & ORS.

.....Respondent
Through: Mr. Sanjay Lao, Standing Counsel for
State with SI Mitthan Lal P.S. H.N.
Din.
Mr. Kamal Katyan and Mr. Rajesh
Katyan, Advocates for R-2 to R-5.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **24.07.2024**

CRL.M.A. 21537/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. A Writ Petition under Article 226 of Constitution of India read with Section 528 of Bhartiya Nagrik Suraksha Sanhita has been filed by the petitioners seeking quashing of FIR No.162/2024 under Sections 308/323/341/34 registered at P.S. Hazarat Nizamuddin.
4. The respondents and the petitioners are residing in the same building.



On 18.06.2024 the respondent No.4 along with respondent no.2 came to police station and gave a statement that his wife has expired about one month back and yesterday on 17.06.2024 there was a *paath* being done in his house. At around 3:00 P.M he went to his shop to put some article and he found that the water connection of his shop was disconnected on which is asked petitioner No.1 who is resident of first floor in the same building. After some time his nephew respondent no.2, his brother respondent No.3 and son respondent No.5 also reached there and an altercation started due to disconnection of water by the petitioner no.1. Petitioner no.1 in anger hit the complainant/respondent No.2 with a brick on his head. Petitioner No.2 also hit with one danda. On the statement of respondent No.2, the police lodged an FIR bearing No.162/2024 under Section 308/323/341/34 IPC at P.S. Hazrat Nizamuddin against both the petitioners.

5. It is submitted that vide Compromise Deed dated 28.06.2024 both the petitioners and all the respondents have already sorted out their all differences with the intervention of their respective persons of the vicinity and they have left no grudge or grievance against each other in any manner whatsoever. It is submitted that the parties are living in the same building and the fight occurred due to some misunderstanding over disconnection of water. It is further submitted that after the registration of the FIR, there is no acrimony between the parties and they are living peacefully. Therefore, the Petition be quashed.

6. The complainant is present in the Court and submits that the matter stands settled with both the petitioners/accused, even though the petitioners/accused have filed the present Petition. The respondent No.2 has no objection if the FIR is quashed against the petitioners on account of the



settlement already arrived at between the parties.

7. In view of the submissions made, the Petition is allowed. Accordingly, the FIR No.162/2024 registered at P.S. Hazarat Nizamuddin for the offences punishable under Sections 308/323/341/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* both the petitioners/accused persons.

8. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 24, 2024/va