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

+ **CRL.M.C. 9705/2024 CRL.M.A. 37225/2024**

SUMAN KUMAR THAKUR & ANR.Petitioner

Through: Mr. Puneet Parthar, Advocate.

versus

STATE OF NCT OF DELHI & ANR.Respondent

Through: Mr. Satinder Singh Bawa, APP for
State with SI Viond Kumar, PS:
Mehrauli.

Mr. Varun Sharma, Adv for R-2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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10.12.2024

CRL.M.A. 37225/2024 (Exemption)

1. Allowed, subject to all just exception.
2. Application is accordingly disposed of.

CRL.M.C. 9705/2024

1. This petition has been filed seeking quashing of FIR no. 876/2017, registered at PS Mehrauli, New Delhi, under Sections 323/452/506/509/34IPC, basis settlement arrived at between the parties dated 02nd September, 2024, which is on record of this Court.
2. Petitioner nos.1 and 2 & respondent no. 2 (complainant) are present in Court and are duly identified by IO and the respective counsels.



3. Respondent no.2 states that he has no objection to the quashing of the FIR considering that they have now amicably resolved the dispute. The petitioners and respondent no.2 are neighbours and there was a dispute regarding the property, which has been resolved.
4. There are other cross FIRs also, to which parties state, that steps are being taken for their quashing as well.
5. APP states that this FIR is of 2017, and the parties have for their own ongoing private dispute used the state machinery and have wasted precious judicial time.
6. Accordingly, petitioner nos.1 and 2 & respondent no.2 shall organize a meal for at least 50 under-privileged children at the Yogmaya Mandir, Mehrauli, which shall be done within the next three weeks. An affidavit of compliance with photographs, shall be placed within two weeks thereafter.
7. 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. Consequently, the FIR No. 876/2017 under Sections 323/452/506/509/34IPC registered at PS Mehrauli, Delhi and proceedings emanating therefrom are quashed.
8. Parties shall abide by the terms of settlement.
9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 10, 2024/RK



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