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

+ **CRL.M.C. 7430/2024**

RAJPAL SINGH @ RAJU & ANR.

.....Petitioners

Through: Mr. Ankit Tandon and Mr. Sumit Aggarwal, Advs. along with petitioners.

versus

THE STATE, NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Manoj Pant, APP for State with S.I. Pankaj Kumar, Insp. Puneet Bharti and ASI Ajay Malik along with R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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28.01.2025

CRL.M.A. 28386/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 7430/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0371/2011 under Sections 186/353/34 IPC registered at Police Station Jyoti Nagar, Delhi and all consequential proceedings emanating therefrom, in which charges were framed under Sections 186/353/332/34 IPC, on the ground that the parties have arrived at a settlement.
4. The petitioners, as well as, respondent nos. 2 and 3 are present in Court



and they have been identified by their respective counsel, as well as, by the Investigating Officer i.e. S.I. Pankaj Kumar, P.S. Jyoti Nagar, Delhi.

5. The facts in brief are that on 08.09.2011 at around 3:30 PM, a quarrel took place between the petitioners and respondent nos.2 and 3. Resultantly, the present FIR was registered on the basis of the complaint filed by the respondent nos.2. Thereafter, the petitioners also filed a cross-complaint against respondent nos.2 and 3 being CT No.6090/2016, which is pending in the court of the learned Judicial Magistrate First Class, Karkardooma Courts, Delhi, wherein charges have been framed against the respondent nos.2 and 3 under Sections 324/342/354//509/34 IPC *vide* order dated 18.09.2023.

6. The learned APP appearing on behalf of the State submits that the State has no objection in case the present FIR is quashed provided the petitioners also withdraw the complaint case filed against the respondent nos.2 and 3.

7. The learned counsel appearing on behalf of the petitioners, on instructions from the petitioners, who are present in court, submits that the petitioners will withdraw the complaint case i.e. *CT No.6090/2016 titled Rambiri Etc. v. S.I. Puneet Bharti Etc.* stated to be pending in the Court of learned Chief Judicial Magistrate, Karkardooma Courts, Delhi. The statement is taken on record.

8. In view of the above settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.

9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

10. Consequently, the petition is allowed and the FIR No.0371/2011 under



Sections 186/353/34 IPC registered at Police Station Jyoti Nagar, Delhi and all consequential proceedings emanating therefrom, in which charges were framed under Sections 186/353/332/34 IPC, is quashed.

11. The petition stands disposed of in the above terms.
12. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 28, 2025

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