

(2018) 08 DEL CK 0440

In the Delhi High Court

Case No : Criminal Miscellaneous Case No..4198, 4200 Of 2018

Chhutka & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 29-08-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 308, 354A, 506

Citation : (2018) 08 DEL CK 0440

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : D.K. Singh, Pankaj Chauhan, Gaurav Singh, Savita Singh, Neeraj Chaudhary, Satwant, Kamal Kr. Ghai

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners, in CrI. M.C. 4198/2018 seek quashing of FIR No. 725/2014 under Sections 354-A/506/34 of the IPC at Police Station Kalyan Puri,

East Delhi and the petitioner, in CrI. M.C. 4200/2018 seeks quashing of FIR No. 519/2015 under Sections 308 of the IPC at Police Station Kalyan

Puri, East Delhi, based on a settlement.

2. The subject dispute emanates out of a dispute between the family members. It is stated that the FIR No. 519/2015 has been registered on the

complaint of sister against her own brother Anish Ali and FIR No. 725/2015 has been lodged on the complaint of the wife of Anish Ali, who is

petitioner in CrI. M.C. 4200/2018, against her in-laws.

3. It is contended on behalf of the parties that the parties have settled all their disputes with the intervention of respectable persons of the society,

elders, well-wishers and family members. Settlement Agreement has been executed between the parties through the process of mediation held before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 06.12.2017.

4. As per the settlement, all the family members had agreed to relinquish their shares in property bearing No. 17/130, Kalyan Puri, Delhi in favour of

petitioner no. 1 â?" Smt. Chhutka, mother of the parties and mother in law of the complainant in FIR No. 725/2015. It is further agreed that Anish Ali

and his family had agreed to vacate one room in his possession on the first floor of the said property.

5. It is informed by counsel for the parties that the family members have already executed Relinquishment Deed in favour of their mother in terms of

the settlement and Anish Ali and his family has already vacated the portion of property in his possession and handed over the same to Smt. Chhutka.

Parties further submit that there is no other dispute surviving between them and all the disputes have amicably been settled.

6. Both the parties are present in court in person, represented by their respective counsels and identified by the Investigating Officer. They submit that

they have resolved their disputes. They assure that they will not quarrel in future with each other. They submit that they have settled all their disputes

with each other and are agreeable to the settlement and as such do not wish to press the criminal charges against each other any further.

7. In view of the fact that the disputes between the parties have been settled, continuation of criminal proceedings will be an exercise in futility and

justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate

guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

8. In view of the above, the petitions are allowed. FIR No. 725/2014 under Sections 354-A/506/34 of the IPC at Police Station Kalyan Puri, East Delhi

and FIR No. 519/2015 under Sections 308 of the IPC at Police Station Kalyan Puri, East Delhi and the consequent proceedings emanating there from

are accordingly quashed.

9. Order Dasti under signatures of the Court Master.