
(2010) 07 DEL CK 0165
In the Delhi High Court
Case No : Criminal M.C. 967 of 2010

Faqir Chand and Others

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision : 02-07-2010

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 323, 34, 341, 380, 448

Citation : (2010) 07 DEL CK 0165

Hon'ble Judges : Hima Kohli, J

Bench : Single Bench

Advocate : Anil Kumar, for the Appellant; M.N. Dudeja, APP Respondent No. 2 in Person and ASI Om Prakash, PS. Nihal Vihar, for the Respondent

Judgement

Hima Kohli, J.—The present petition is filed by the petitioners u/s 482 of the Cr.PC praying inter alia for quashing of FIR No. 26/2010 lodged by respondent No. 2 under sections 448/380/323/341/34 IPC and registered at Police Station-Nihal Vihar, Delhi.

2. It is stated in the petition that disputes arose between the parties at the time, when respondent no. 2 was a tenant under the petitioner no. 1 in respect of a portion of premises bearing No. C-32, Kunwar Singh Nagar, Delhi-110041. However, during the pendency of the proceedings in the court below, with the intervention of the neighbourers and well-wishers of the parties, a compromise is stated to have been arrived at between the petitioner No. 1 and respondent No. 2. An affidavit dated 17.02.2010 sworn by the respondent No. 2, is placed on the record. In the said affidavit, respondent No. 2 has confirmed that she had handed over vacant peaceful possession of the portion of the premises bearing No. C-32, Kunwar Singh, Nangloi, Delhi-41, under her occupation, without any undue influence or coercion from the other side. It is further stated in the affidavit that whatever losses were incurred by respondent No. 2, were duly settled between the parties in terms of the Compromise Deed of the even date, a

copy of which is placed on record. Respondent No. 2, who is present in Court and is identified by the ASI Om Prakash PS Nihal Vihar, Delhi, confirms having executed the aforesaid affidavit of her own free will and volition.

3. A perusal of the Compromise Deed dated 17.2.2010 shows that the same is duly signed by the petitioner No. 1 and respondent No. 2. Both the parties confirm having entered into a negotiated settlement. The parties jointly state that in view of the settlement arrived at between them, the present FIR and the proceedings emanating therefrom may be quashed. Learned APP for the State also submits that he also does not have any objection to the aforesaid request.

4. In view of the fact that the parties state that they have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any side, the same is accepted. They shall remain bound by the terms and conditions of the settlement as recorded in the Compromise Deed dated 17th February, 2010. FIR No. 26/2010 and all the proceedings emanating therefrom are accordingly quashed.

5. The petition is disposed of. File be consigned to the record room.