

(2011) 12 DEL CK 0412
In the Delhi High Court
Case No : Criminal M.C. No. 4131 of 2011

Pradeep Kumar

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision : 13-12-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 323, 34, 452, 504, 506

Citation : (2011) 12 DEL CK 0412

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : Adnan Ahmad, for the Appellant; Navin Sharma, APP for State with SI Neeraj Kumar, police station Welcome Colony in person and Mohd. Mobin, for R-2 with respondent in person, for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.—Notice issued.

2. Mr.Navin Sharma, learned APP on behalf of respondent No.1/State and Mr.Mobin, learned counsel on behalf of respondent No.2 accept notice.

3. Learned counsel for the petitioner submits that vide FIR No.106/2011 dated 20.03.2011 case u/s 323/452/506/504/34 Indian Penal Code, 1860 was registered against the petitioner at police station Welcome Colony, on the complaint of respondent No.2.

4. He further submitted that vide compromise deed dated 24.09.2011 got attested by Notary Public on 05.12.2011, matter has been resolved between the parties, therefore, respondent No.2 is no more interested in pursuing his case.

5. Respondent No.2 is present in the Court with his learned counsel Mr.Mobin, who has duly identified him as respondent No.2. In addition, respondent No.2 has produced his original voter identity card bearing No.YHL0638205, the photocopy whereof already placed on record. Original seen and returned to

respondent No.2.

6. On instructions, learned counsel for the respondent No.2 submits that matter has been settled between the parties in pursuance to the compromise executed between them. Pursuant thereto, respondent No.2 is no more interested in pursuing his case and he has no objection, if the present FIR is quashed.

7. On the other hand, learned APP on instructions submits that the matter is pending for investigation. He further submitted that if this Court is inclined to quash the present FIR, heavy costs may be imposed upon the petitioner, as government machinery has been pressed into action and precious time of the Court has been consumed.

8. Keeping the settlement arrived between the parties, FIR No.106/2011 registered against the petitioner at police station Welcome Colony, is hereby quashed.

9. Though, I find force in the submission of learned APP for State, however, considering the fact that petitioner is employed at lower cadre i.e. Constable in Delhi Police, I refrain in imposing any costs upon him.

10. In view of above, Criminal M.C.No.4131/2011 is allowed and stands disposed of.