

(2018) 10 DEL CK 0071

In the Delhi High Court

Case No : Criminal Miscellaneous CaseNo.4787 OF 2018

Prehlad Singh & Ors

APPELLANT

Vs

State (NCT Of Delhi) & Anr

RESPONDENT

Date of Decision : 03-10-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 506

Citation : (2018) 10 DEL CK 0071

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J

1. Petitioners seek quashing of FIR No. 149 of 2015 under Sections 323/341/506/34 IPC, Police Station Malviya Nagar, based on a settlement. Â

2. Parties are family members. The subject FIR was registered consequent to a quarrel that took place between the parties over the distribution of family properties.

3. Learned counsel for the parties submit that the parties have settled their disputes with the intervention of senior members of the family and

Settlement Agreement dated 07.04.2018 has been executed between the parties before Delhi Mediation Centre, Saket Courts, Delhi. Parties submit

that all their disputes with regard to family properties have been settled.

4. As per the settlement, petitioners have agreed to pay Rs. 25,000/- to respondent no. 2. Rs. 12,500/- has already been paid to respondent no. 2 and the balance sum of Rs. 12,500/- is being paid to respondent no. 2 today in Court.

5. Respondent No.2 is present in Court in person, represented by counsel and is

identified by the Investigating Officer. She submits that she has settled the disputes with the petitioners and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

6. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her complaint, 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 there from.

7. In view of the above, the petition is allowed. FIR No. 149 of 2015 under Sections 323/341/506/34 IPC, Police Station Malviya Nagar and the consequent proceedings emanating there from are quashed.

8. Order Dasti under the signatures of the Court Master.