

(2018) 09 DEL CK 0311

In the Delhi High Court

Case No : Criminal Miscellaneous Case No.4895 Of 2018

Shadam Hussain

APPELLANT

Vs

State Of Delhi & Ors

RESPONDENT

Date of Decision : 25-09-2018

Acts Referred:

Indian Penal Code, 1860 — Section 354, 509

Citation : (2018) 09 DEL CK 0311

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No.558/2016 under Sections 354/509 IPC, Police Station Kotwali, based on the settlement.Â Â
2. The allegations in the FIR are that the petitioner, who is a tailor, had misbehaved with the complainant respondent No.2 when she had gone for having her clothes stitched.Â Respondent Nos.3 and 4 are cited as witnesses to the said incident.Â Â
3. Learned counsel for the petitioner submits that the parties have settled their disputes. Settlement Deed dated 05.09.2018 has been executed.Â Â
4. The petitioner, who is present in Court in person, has expressed remorse at his conduct and has apologised to respondent No.2/complainant.Â
5. The respondent No.2 and 4 are present in Court in person and identified by the Investigating Officer. Respondent No. 3 is represented by Respondent No. 4. Respondent No. 2 submits that she has settled her disputes with the petitioner and does not wish to prosecute the complaint against

the petitioner any further and has no objection to the quashing of the subject FIR.Â

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 therefrom.

7. In view of the above, the petition is allowed. FIR No.558/2016 under Sections 354/509 IPC, Police Station Kotwali and the consequent proceedings

emanating there from are quashed, subject to the petitioner depositing costs of Rs.3,000/- with the â??Chief Ministerâ??s Distress Relief Fund

(CMDRF), Keralaâ?, within a period of two weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned

Investigating Officer within a period of three weeks from today

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