

Akram @ Musha & Ors vs.state and Ors

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Court : Delhi

Decided On : Mar-15-2017

Appellant : Akram @ Musha & Ors

Respondent : State and Ors

Judgement :

\$~38 * + IN THE HIGH COURT OF DELHI AT NEW DELHI DECIDED ON :
MARCH15 2017 CRL.M.C. 1224/2016 AKRAM @ MUSHA & ORS

... Petitioner

s Through : Mr.Hemant Chaudhary, Advocate. versus STATE AND ORS Through :
Mr.Kamal Kr.Ghei, APP. Proxy counsel for the (appearance not given) along with
complainants R-2&3 present in person.

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE S.P.GARG S.P.GARG, J.

(ORAL) 1. Present petition under Section 482 Cr.P.C. has been preferred by the
petitioners for quashing of FIR No.1

under Sections 452/324/5

IPC registered at Police Station I.P.Estate. It is stated that the matter has been
settled with the victims/respondents No.2 and 3 amicably. Crl.M.C.1224/2016

Page 1 of 3 2. I have heard the learned counsel for the parties and have examined
the file.

... RESPONDENTS

No.2 and 3 were present before the Court along with counsel and were identified by him. I have enquired from them whether the matter has been settled with the petitioners amicably without fear and pressure. They have informed that the matter has been settled without any fear or pressure and have no objection to the quashing of the FIR. Status report also reveals that the victims have compounded the offence with the assailants i.e. petitioners without any fear or pressure.

3. I have gone through the Trial Court record which reflects that charge under Sections 326/452/5

IPC was framed against the petitioners on 04.12.2014. No prosecution witness has so far been examined. Order-sheets dated 3.12.2015 and 28.03.2016 record that the parties have settled the dispute and petition for quashing of the FIR has been filed before this Court.

4. The petition is supported by the affidavits of the parties. Memorandum of Understanding/Settlement/Compromise deed dated 22.03.2016 signed by the parties is on record.

5. Since the

... RESPONDENTS

No.2 and 3 have voluntarily settled the dispute with the petitioners, no useful purpose will be served to continue with the proceedings. The parties live in neighbourhood and the occurrence had taken place all of a sudden over a trivial issue. In the interest of justice and to enable the parties to maintain their neighbourly relations, FIR No.1

under Sections 452/324/5

IPC registered at Police Station I.P.Estate and all the proceedings emanating therefrom are quashed. CrI.M.C.1224/2016 Page 2 of 3 6. The petitioners are, however, burdened with costs of `20,000/- to be deposited with Prime Minister National Relief Fund within two weeks. The Registry shall ensure the compliance of the order.

7. 8. The petition is disposed of accordingly. Trial Court record along with the copy of the order be sent back immediately. MARCH15 2017/sa (S.P.GARG) JUDGE
Crl.M.C.1224/2016 Page 3 of 3

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