

Sunil Kumar vs.state & Ors

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Court : Delhi

Decided On : Aug-28-2018

Appellant : Sunil Kumar

Respondent : State & Ors

Judgement :

\$~2 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + CRL.M.C. 3622/2018

Judgment delivered on:

28. 08.2018 SUNIL KUMAR versus STATE & ORS

... Petitioner

.....

... RESPONDENTS

Advocates who appeared in this case: For the

... Petitioner

s : For the

... RESPONDENTS

: Mr. Sameer Bhatnagar with Ms. Charuvi Sharma, Advocates Mr. Sanjeev Sabharwal, APP for the State. SI Vivek, PS Nabi Karim. Complainant in person.
CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT2808.2018
SANJEEV SACHDEVA, J.

(ORAL) Crl.M.A. 28314/2018 (exemption) Exemption is allowed subject to all just exceptions. CRL.M.C. 3622/2018 1.

... Petitioner

seeks quashing of FIR No.137/2017 under Sections 323/341/4

IPC (subsequently, Section 325 IPC has been added), Police Station Nabi Karim.

2. The subject FIR was registered consequent to a dispute between the parties with regard to parking of a vehicle. The allegation was that the CRL.M.C. 3622/2018 Page 1 of 2 petitioner had incorrectly parked the vehicle and when the complainant objected, it led to a quarrel and consequent injuries were sustained. Parties live in the same locality.

3. Learned counsel for the petitioner submits that with the intervention of the friends and family, the parties have amicably resolved their disputes and a Settlement Deed dated 29.06.2018 has been executed between the parties.

4. The respondent No.2 is present in Court and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioner and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

5. In view of the fact that the parties have resolved their disputes and respondent No.2 does not wish to press his 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.

6. In view of the above, the petition is allowed. FIR No.137/2017 under Sections 323/341/452/3

IPC, Police Station Nabi Karim and the consequent proceedings emanating there from are quashed. Order Dasti under the signatures of the Court Master.

7. AUGUST28 2018/st CRL.M.C. 3622/2018 SANJEEV SACHDEVA, J Page 2 of 2

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