

Asha Kholi & Ors vs State(Govt Of Nct Of Delhi)& Anr on 21 March, 2018

Author: Sanjeev Sachdeva

Bench: Sanjeev Sachdeva

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1415/2018
ASHA KHOLI & ORS Petitioners
Through Mr. Munish Chhoker, Advocate.

versus

STATE(GOVT OF NCT OF DELHI)& ANR Respondents
Through Mr. Akshai Malik, APP for the State.
Respondent No.2 in person.
ASI Yogender Singh, PS Shakarpur.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
ORDER

% 21.03.2018 Crl.M.A.5134/2018 (exemption) Exemption is allowed subject to all just exceptions.

1. The petitioners seek quashing of FIR No.634/2016 under Sections 323/354(B)/506/509/34 IPC, Police Station Shakarpur. The subject FIR is the cross-FIR to FIR No.633/2016, Police Station Shakarpur.

2. Parties have settled their disputes and a quashing petition being W.P.(Crl.) 848/2018 was filed seeking quashing of cross FIR No.633/2016. It is contended that the said petition has been allowed and the cross-FIR has already been quashed by order of today's date.

3. The respondent No.2 is present in person and is identified by CRL.M.C. 1415/2018 Page 1 the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

4. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her complaint and in view of the fact that the cross-FIR No.633/2016 in W.P.(Crl.) 848/2018 has already been quashed, 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.

5. In view of the above, FIR No.634/2016 under Sections 323/354(B)/506/509/34 IPC, Police

Station Shakarpur and the consequent proceedings emanating there from are quashed, subject to the payment of the cost of Rs.30,000/- to be paid by the petitioners to the "Prisoners Welfare Fund, Jail No. 13, Mandoli", Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi within two weeks. The 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.

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

SANJEEV SACHDEVA, J

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