

Saddam Hussain vs State & Anr on 21 March, 2018

Author: Sanjeev Sachdeva

Bench: Sanjeev Sachdeva

\$~41

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1438/2018
SADDAM HUSSAIN

..... Petitioner

Through : Mr Mahjabee Tanweer with Ms
Kanishka Prasad and Mr Raghav
Kakkar, Advocates.

versus

STATE & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.
SI Subhash Chand, PS Lajpat Nagar.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
ORDER

% 21.03.2018 Crl. M.A. 5234/2018(exemption) Allowed, subject to all just exceptions.

1. Petitioner seeks quashing of FIR No.765/2015 under Sections 354- D/509 IPC, Police Station Lajpat Nagar, based on a settlement.

2. Respondent No.2 is present in Court in person, is identified by the Investigating Officer. She confirms that the settlement has taken place and she does not wish to press her complaint any further. She has also filed an affidavit confirming that the settlement has taken place with petitioner and CRL.M.C.1438/2018 Page 1 now she has no differences against the petitioner and she does not want to prosecute the complaint any further.

3. In view of the above and keeping in view of the fact that the parties have resolved their dispute through a Settlement and the complainant has filed an affidavit confirming the Settlement, which has been executed between the parties and further 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.

4. Accordingly, FIR No.765/2015 under Sections 354-D/509 IPC, Police Station Lajpat Nagar and the consequent proceedings emanating therefrom are hereby quashed, subject to the petitioner

depositing costs of Rs.5,000/-, which shall be paid to the "Prisoners Welfare Fund, Jail No. 13, Mandoli", Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi, 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.

5. Order Dasti under signatures of Court Master.

MARCH 21, 2018/'Sn'

SANJEEV SACHDEVA, J

CRL.M.C.1438/2018

Page 2