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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 2828/2022

TARUN AND ORS

..... Petitioners

Through: Mr E.P. Pandey and Mr Nitin
Upadhyay, Advocates

versus

STATE (NCT OF DELHI) AND ANR.

..... Respondents

Through: Mr Panna Lal Sharma, APP for State
with ASI Jitender Kumar, P.S Baba
Haridas Nagar

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **03.06.2022**

CRL.M.A. 11694/2022 (exemption)

1. Allowed, subject to all just exception.
2. The application stands disposed of.

CRL.M.C. 2828/2022

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner praying for quashing of FIR bearing No. 26/2017 registered at Police Station Baba Haridas Nagar, Delhi for offences punishable under Sections 354/452/506/509/354B/34 of the Indian Penal Code.
4. Notice. Mr. Panna Lal Sharma, learned APP accepts notice on behalf of the State.
5. All the petitioners are present before this Court and have been

identified by their counsel Mr E.P. Pandey and Investigating Officer (IO) ASI Jitender Kumar from Police Station Baba Haridas Nagar, Delhi.

6. On a query made by this Court, respondent no.2, who is present in Court and has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties vide Memorandum of Understanding (MoU)/Settlement Deed dated 21.02.2022 entered into between them and that she has no objection if the FIR is quashed.

7. Both the parties have appeared before this Court. The complainant states that the parties herein are neighbours and a dispute had arisen over some misunderstanding, pursuant to which the present cross FIRs have been registered. The cases were registered in the year 2017 and charges have already been framed. Thus, there has been a delay by the parties in coming to the Court for compromise for quashing of the FIRs, thereby consuming much judicial time and time of the investigating agency.

8. The tendency to file cases under Sections 354/509 in disputes between neighbours to settle scores is on the rise and needs to be curbed. The complainants in both the cases are present and state that they do not want to pursue the matter as the matter has been amicably settled. The parties have been cautioned and counselled. However, considering that the parties have amicably settled the dispute out of their own free will, and without any coercion, it will be in the interest of justice that the FIRs are quashed subject to the accused persons depositing a sum of Rs. 10,000/- each in Lawyers' Welfare Fund, Tis Hazari Courts, Delhi and the receipt thereof be filed before the Registry of this Court within a week.

9. Accordingly, FIR bearing No. 26/2017, registered at Police Station Baba Haridas Nagar, Delhi for offences punishable under Sections 354/452/506/509/354B/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

10. The petition stands disposed of.

SWARANA KANTA SHARMA, J

JUNE 3, 2022/zp