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

+ **W.P.(CRL) 2653/2023**

ABHISHEK & ORS.

..... Petitioners

Through: Mr. Manoj Godara, Advocate
alongwith all the petitioners

versus

STATE & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyia, ASC for
the State with Akshay Kumar and
Mr. Abhijeet Kumar, Advocates
alongwith SI Naveen Kumar,
All the respondents in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

15.09.2023

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Crl. M.A. No. 24993/2023 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2653/2023

3. The petitioners vide the present petition under Section 482 of the Code of Criminal Procedure, 1973 seek quashing of FIR No.0386/2023 dated 27.07.2023 registered under Sections 147/148/149/323/341/308/427/34 of the Indian Penal Code, 1860 at PS.: Mehrauli, Delhi and all proceeding emanating therefrom in view of the Compromise Deed dated 02.09.2023 arrived at between the parties.

W.P.(CRL) 2653/2023

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4. This petition is accompanied by the Compromise Deed dated 02.09.2023 and is also supported by affidavits of all the petitioners and of respondent nos. 2 to 7, alongwith proofs of their respective I.Ds.

5. Petitioner nos. 1 to 18 and as also respondent nos. 2 to 7 are present in Court and have been identified by the Investigating Officer. Their credentials have been verified by this Court.

6. Issue Notice.

7. Learned ASC for the State accepts notice. She confirms that she has no objection to the quashing of the said FIR.

8. Respondent nos. 2 to 7 affirm the Compromise Deed dated 02.09.2023 and submit that they have voluntarily settled all disputes with the petitioners. They further state that they do not wish to pursue the criminal proceedings against the petitioners and has no objection to the quashing of the present FIR.

9. In view of the fact that the settlement has been arrived at between the parties, and as the respondent nos. 2 to 7 do not wish to continue with the criminal proceedings, in order to bring a quietus to the present disputes, and following the law laid down by the Hon'ble Supreme Court in *Gian Singh vs. State of Punjab & Anr.* (2012) 10 SCC 303 and *Narinder Singh & Ors. vs. State of Punjab & Anr.* (2014) 6 SCC 466, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

10. Accordingly, the petition is allowed and FIR No.0386/2023 dated 27.07.2023 registered under Sections 147/148/149/323/341/308/427/34 of *W.P.(CRL) 2653/2023*

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the Indian Penal Code, 1860 at PS.: Mehrauli, Delhi and all proceeding emanating therefrom are quashed with the directions to all the named 24 parties involved herein consisting of the petitioner nos.1 to 18 and respondent nos.2 to 7, that all of them would divide themselves in 4 groups of 6 each who would undertake basic cleaning work for 3 days i.e. on Monday, Thursday and Sunday of the week commencing from 18.09.2023 at the below-mentioned 4 Police Stations *namely* Mehrauli, Fatehpur Beri, Maidan Garhi and Neb Sarai to the satisfaction of the Investigating Officer concerned. The said 24 persons shall be at liberty to decide amongst themselves as to the composition of each group of 6 persons and also the Police Station where each group shall undertake the aforesaid basic cleaning duty.

11. The petition, alongwith the pending applications, if any, stands disposed of.

12. Lastly, this Court applauds the generous efforts put in by each of the 24 parties involved in the present petition before this Court.

SAURABH BANERJEE, J

SEPTEMBER 15, 2023/akr

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

+ **W.P.(CRL) 2652/2023**

SAGAR & ORS.

..... Petitioners

Through: Mr. Vipin Sehrawat and Mr. Aakash Godara, Advocates alongwith all the petitioners in person

versus

STATE (N.C.T. OF DELHI) & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyia, ASC for the State with Mr. Akshay Kumar and Mr. Abhijeet Kumar, Advocates and ASI Sadanand
All the respondents in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

15.09.2023

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Crl. M.A. No. 24991-92/2023 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2652/2023

3. The petitioners vide the present petition under Section 482 of the Code of Criminal Procedure, 1973 seek quashing of FIR No.0389/2023 dated 28.07.2023 registered under Sections 308/34 of the Indian Penal Code, 1860 at PS.: Mehrauli, Delhi and all proceeding emanating therefrom in view of the Compromise Deed dated 02.09.2023 arrived at between the parties.

W.P.(CRL) 2652/2023

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4. This petition is accompanied by the Compromise Deed dated 02.09.2023 and is also supported by affidavits of all the petitioners and of respondent nos. 2 to 19, alongwith proofs of their respective I.Ds.

5. Petitioner nos. 1 to 6 and as also respondent nos. 2 to 19 are present in Court and have been identified by the Investigating Officer. Their credentials have been verified by this Court.

6. Issue Notice.

7. Learned ASC for the State accepts notice. She confirms that she has no objection to the quashing of the said FIR.

8. Respondent nos. 2 to 19 affirm the Compromise Deed dated 02.09.2023 and submit that they have voluntarily settled all disputes with the petitioners. They further state that they do not wish to pursue the criminal proceedings against the petitioners and has no objection to the quashing of the present FIR.

9. In view of the fact that the settlement has been arrived at between the parties, and as the respondent nos. 2 to 19 do not wish to continue with the criminal proceedings, in order to bring a quietus to the present disputes, and following the law laid down by the Hon'ble Supreme Court in *Gian Singh vs. State of Punjab & Anr.* (2012) 10 SCC 303 and *Narinder Singh & Ors. vs. State of Punjab & Anr.* (2014) 6 SCC 466, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.



10. Accordingly, the petition is allowed and FIR No.0389/2023 dated 28.07.2023 registered under Sections 308/34 of the Indian Penal Code, 1860 at PS.: Mehrauli, Delhi and all proceeding emanating therefrom are quashed with the directions to all the named 24 parties involved herein, consisting of the petitioner nos.1 to 6 and respondent nos.2 to 19, that all of them would divide themselves in 4 groups of 6 persons each who would undertake basic cleaning work for 3 days i.e. on Monday, Thursday and Sunday of the week commencing from 18.09.2023 at the below-mentioned 4 Police Stations *namely* Mehrauli, Fatehpur Beri, Maidan Garhi and Neb Sarai to the satisfaction of the Investigating Officer concerned. The said 24 persons shall be at liberty to decide amongst themselves as to the composition of each group of 6 persons and also the Police Station where each group shall undertake the aforesaid basic cleaning duty.

11. The petition, alongwith the pending applications, if any, stands disposed of.

12. Lastly, this Court applauds the generous efforts put in by each of the 24 parties involved in the present petition before this Court.

SAURABH BANERJEE, J

SEPTEMBER 15, 2023/akr

W.P.(CRL) 2652/2023

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