

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

Date of Decision: January 16, 2015

+ CRL.M.C. 161/2015 & Crl. M.A.No.686/2015

PRAVEEN

..... Petitioner

Through: Mr. Ram Naresh, Advocate with
petitioner in person

versus

STATE OF DELHI & ANR.

..... Respondents

Through: Mr. Navin Sharma, Additional
Public Prosecutor for respondent
No.1-State with SI Narender Singh
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT
(ORAL)

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Quashing of FIR No. 91/2014, under Section 308 of the IPC, registered at police station Pandav Nagar, Delhi is sought on the ground that the misunderstanding which led to registration of the FIR, now stands cleared between the parties.

Notice.

Mr. Navin Sharma, learned Additional Public Prosecutor for respondent-State accepts notice and submits that respondent No.2, present in the Court, is complainant/first-informant of the FIR in question and he has been identified to be so by SI Narender Singh, Investigating Officer

of this case.

Respondent No.2, present in the Court, submits that petitioner is his neighbor and dispute between the parties has been amicably resolved. It is submitted by respondent No.2 that the misunderstanding, which led to the incident in question, now stands cleared between the parties. Respondent No.2 affirms the contents of his affidavit of 18th February, 2014 supporting this petition and submits that now no dispute with petitioner survives and so, to restore the cordiality between the parties, who are neighbours, proceedings arising out of the FIR in question be brought to an end.

In ‘*Gian Singh Vs. State of Punjab*’ (2012) 10 SCC 303 Apex Court has recognized the need of amicable resolution of disputes in cases like the instant one, by observing as under:-

“61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”

In the facts and circumstances of this, I find that continuance of proceedings arising out of the FIR in question would be an exercise in

futility as the misunderstanding, which led to registration of the FIR, now stands cleared between the parties.

Accordingly, this petition is allowed and FIR No. 91/2014, under Section 308 of the IPC, registered at police station Pandav Nagar, Delhi and the proceedings emanating therefrom shall stand quashed *qua* petitioner.

This petition and application are accordingly disposed of.

(SUNIL GAUR)
JUDGE

JANUARY 16, 2015

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