

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

Date of Decision: January 27, 2015

+ CRL.M.C. 3366/2014

LAVEEN MAAN

..... Petitioner

Through: Mr. Vipin Rathi, Advocate

versus

STATE OF DELHI & ANR.

..... Respondents

Through: Mr. Parvin Bhati, Additional
Public Prosecutor for respondent
No.1-State with SI Vijay
Mr. K.K.Sharma, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT

(ORAL)

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Quashing of FIR No. 541/2012, under Sections 420/468/471 of the IPC, registered at police station Prashant Vihar, Delhi is sought on the basis of Compromise Deed of 4th May, 2014 of (*Annexure-C*) and on the ground that the misunderstanding which led to registration of the FIR now stands cleared between the parties.

Notice.

Mr. Parvin Bhati, learned Additional Public Prosecutor for respondent-State submits that the charge-sheet in this case has been filed in this case for the offence under Section 420 of the IPC only and that respondent No.2 is present in the Court and he is the complainant/first-

informant of the FIR in question and he has been identified to be so by his counsel as well as by SI Vijay, Investigating Officer of this case.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved vide aforesaid Compromise Deed of 4th May, 2014 of (*Annexure-C*) and the terms thereof have been fully acted upon and that the misunderstanding, which led to the incident in question, now stands cleared between the parties. Respondent No.2 affirms the contents of aforesaid Compromise Deed of 4th May, 2014 of (*Annexure-C*) and of his affidavit of 28th May, 2014 supporting this petition and submits that now no dispute with petitioners survives and so, to restore the cordiality amongst the parties, who are neighbours, the 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 peculiar facts and circumstances of this case and in view of aforesaid Compromise Deed of 4th May, 2014 of (*Annexure-C*), 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 subject to cost of ₹10,000/- to be deposited by petitioners with the *Prime Minister's Relief Fund* within two weeks from today. Upon placing on record the receipt of cost, FIR No. 541/2012, under Sections 420/468/471 of the IPC, registered at police station Prashant Vihar, Delhi and the proceedings emanating therefrom shall stand quashed *qua* petitioners.

This petition is accordingly disposed of.

(SUNIL GAUR)
JUDGE

JANUARY 27, 2015

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