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

+ **CRL.M.C. 5257/2014**

AASHU KHAN@MOHD. SHARIQUE KHANPetitioner

Through: Mr. Rajeev Saxena, Advocate

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Navin Sharma, Additional
Public Prosecutor for respondent-
State with Inspector/SHO Ved
Parkash PS H.Nizammuddin

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

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Petitioner is an accused in FIR No.220/2012, which was initially registered for the offence under Section 323/341/506/34 IPC at Police Station Hazrat Nizamuddin, Delhi, but during the course of investigation it transpired that petitioner committed offence under Section 394/397 IPC as well. Quashing of FIR is sought on the basis of settlement of 19th April, 2014 entered into between the parties.

Learned Additional Public Prosecutor for respondent-State informs that this FIR case is at the charge stage and the gravity of offence is such, which does not call for quashing of the FIR on the basis of settlement.

The pertinent observations of Apex Court in ‘*Gian Singh Vs. State of Punjab & Anr.*’ (2012) 10 SCC 303, regarding quashing of FIRs in heinous crimes are as under:-

“58. *In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all.*”

Applying the dictum of *Gian Singh* (supra) to the facts of the instant case, I find that no case for quashing of FIR is made out.

The petition is dismissed while not commenting upon merits of this case.

(SUNIL GAUR)
JUDGE

APRIL 21, 2015

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