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

Date of decision: February 08, 2016

+ **W.P.(CRL) 205/2016**

RAJEEV KUMAR MISHRA

..... Petitioner

Through

Ms. Vidhushi Sharma for Mr. RCS
Badhuria, Advocate along with
petitioner

versus

THE STATE (GOVT OF NCT DELHI) & ANR Respondents

Through

Mr. R.S. Kundu, Addl. Standing
Counsel (Crl.) with Mr. Ankit Gulia
and Mr. Vishesh Wadhwa, Advocates
SI Prateek Saxena, P.S. Anand Vihar
Mr. Mukesh Anand, Adv. for R-2
along with R-2/complainant

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 454/2014, under Section 420 IPC registered at Police Station- Anand Vihar, Delhi and the proceedings arising therefrom.

2. Both the complainants in the subject FIR namely Pramod Kumar, S/o Shri Raj Kumar and Sanjay Kohli, S/o R.L. Kohli, who are present in Court

today and have been identified by the Investigating Officer in the subject FIR namely SI Prateek Saxena, Police Station- Anand Vihar, Delhi, state that in terms of the order dated 22nd January, 2016 passed by this Court in Execution Petition No. 162/2014, the complainants have arrived at an amicable resolution of all their outstanding disputes that led to the registration of the subject FIR against Rajeev Kumar Mishra, the petitioner herein.

3. Counsel for the parties state that in terms of the amicable resolution of the dispute, an amount of Rs. 14 lakhs has been paid by the petitioner herein to both the complainants herein namely Pramod Kumar and Sanjay Kohli.

4. In view of the foregoing, it is urged on behalf of the complainants that they are no longer keen to proceed with the subject FIR and the proceedings emanating therefrom.

5. The statements made on behalf of the complainants herein are reflective of the affidavits filed on their behalf and placed on record in the present writ petition.

6. In the present case, it is observed that the offence in the subject FIR do not fall within the exempted categories of serious/heinous offences which ought not to be quashed on the ground of an amicable resolution of the disputes. [Ref. *Gian Singh vs. State of Punjab and Anr.* reported as (2012)

10 SCC 303]. The offence alleged to have been committed in the subject FIR are private in nature and do not have a serious impact on society.

7. In view of the foregoing, since the dispute that led to the registration of the subject FIR has been settled between the parties, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

8. Resultantly, FIR No. 454/2014, under Section 420 IPC registered at Police Station- Anand Vihar, Delhi and the proceedings arising therefrom are hereby set aside and quashed *qua* the petitioner- Rajeev Kumar Mishra.

9. With the above directions, the present writ petition is allowed and disposed of accordingly.

FEBRUARY 08, 2016
SD

SIDDHARTH MRIDUL, J