

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

Date of Order: December 20, 2018

+ **CRL.M.C. 6164/2018**

SURESH & ANR.

.....Petitioners

Through: Mr. Gaurav Sharma, Advocate

versus

STATE (NCT OF DELHI) & ANR

.....Respondents

Through: Mr. Izhar Ahmed, Additional
Public Prosecutor for respondent-State with ASI
Ram Kishan

Respondents No.2 & 3 in person with Mr.
Shubham Gupta, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of FIR No. 2442/2015, under Sections 509/354(B)/506/34/354 IPC, registered at police station Mehrauli, New Delhi is sought on the ground that the misunderstanding which led to this incident has been now cleared.
2. Mr. Izhar Ahmed, learned Additional Public Prosecutor for respondent-State accepts notice and submits that respondents No.2 & 3, present in the Court have been identified to be the complainant party of FIR in question by ASI Ram Kishan on the basis of identity proof produced by them.
3. Respondents No.2 & 3, present in the Court, submit that the

misunderstanding, which led to the incident in question, now stands cleared between the parties. They affirm the contents of their affidavits filed in support of this petition and submit that now no dispute with petitioners survives and so, to restore the cordiality amongst the parties, who are landlord and tenants, the proceedings arising out of the FIR in question be brought to an end.

4. In '*Gian Singh Vs. State of Punjab*' (2012) 10 SCC 303 Supreme 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."

5. The aforesaid dictum stands reiterated by the Supreme Court in later decision in *Narinder Singh v. State of Punjab* (2014) 6 SCC 466.

6. In the facts and circumstances of this case, 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 this FIR, now stands cleared between the parties.

7. Accordingly, FIR No. 2442/2015, under Sections 509/354(B)/506/34/354 IPC, registered at police station Mehrauli, New

Delhi and proceedings emanating therefrom are hereby quashed.

8. This petition is accordingly disposed of.

(SUNIL GAUR)
JUDGE

DECEMBER 20, 2018

v

