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

+ **CRL.M.C. 5027/2018**

PATRAM

..... Petitioner

Through: Ms. Rohni, Adv. with
Petitioner in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Mukesh Kumar, Adv.
SI Rajendra Singh, PS Malviya Nagar,
Ms. Nishi Verma with Mr. Manoj Kumar &
Ms. Mansi Joshi, Advs. for R-2 & 3 with
Respondent nos. 2 & 3 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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28.11.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.1539/2014 under Sections 506/509/354D of the IPC registered at Police Station Malviya Nagar, New Delhi and all proceedings emanating therefrom, on the basis of a settlement deed dated 28th September, 2017.

2. Learned counsel for the petitioner submits that the petitioner was employed as a Delivery Man in the Gas Agency being run by respondent nos. 2 and 3. On account of some misunderstanding regarding the provident fund dues of the petitioner, the petitioner who is an uneducated man, had sent a SMS to the respondent nos. 2 and 3 which deeply offended them. He submits that the petitioner did not

know that the SMS being sent to the respondent nos. 2 and 3, was in any manner offensive.

3. Learned counsel for the petitioner further submits that the parties have now, with the intervention of some other employees of the respondent nos. 2 and 3, amicably settled their disputes and have entered into a settlement deed dated 28th September, 2017. He further submits that the petitioner undertakes not to interact with the respondents in any manner in the future and, therefore, prays that the captioned FIR and consequential proceedings be quashed.

4. The petitioner as also the respondent nos.2 and 3 are present in Court and have been identified by the Investigating Officer. The respondent nos.2 and 3 are also represented by counsel. I have interacted with respondent nos. 2 and 3 who states that they have resolved their disputes with the petitioner out of their free will and have entered into the settlement without any coercion. They further state that they do not want the aforesaid criminal proceedings to continue as the same would cause hardship to them also. They, therefore, pray that the captioned FIR and consequential proceedings be quashed.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the FIR emanates out of misunderstanding between the parties who were known to each other and the parties have now already resolved their disputes, no useful purpose will be served in continuing with the aforesaid criminal proceedings. In my considered view, the ends of justice demand that the captioned FIR and consequential proceedings

be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the payment of costs of Rs.10,000/- by the petitioner to the Delhi High Court Staff Welfare Fund within two weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition along with the pending applications is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 28, 2018

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