

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: December 20, 2018

+ **CRL.M.C. 5936/2018**
NEETU & ORS. Petitioners

Through: Mr.O.P.Aggarwal, Advocate

Versus

STATE (GOVT OF NCT OF DELHI) & ANR. Respondents
Through: Mr. M.S.Oberoi, Additional Public
Prosecutor for respondent-State with SI
Rajinder

+ **CRL.M.C. 6156/2018**
NAVEEN & ANR. Petitioners

Through: Mr.O.P.Aggarwal, Advocate

Versus

STATE (GOVT OF NCT OF DELHI) & ANRRespondents
Through: Mr. M.P.Singh, Additional Public
Prosecutor for respondent-State with SI
Rajinder

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR
ORDER
(ORAL)

1. In the above captioned first petition, quashing of FIR No.910/2014, whereas in the above captioned second petition, quashing of FIR No.903/2014, both registered at police station Malviya Nagar, New Delhi is sought. FIR No. 910/2014 has been registered for offences under Sections 323/354/425/34 IPC and FIR No. 903/2014 has been registered for offences under Sections 323/354/506/509/34 IPC. Both the FIRs arise

out of one incident. Quashing of these FIRs is sought on the ground that the misunderstanding which led to this incident, now stands cleared between the parties in terms of Memorandum of Understanding of 31st October, 2018.

2. With the consent of learned counsel for the parties, both these petitions have been heard together and are being disposed of by this common order.

3. Mr.M.S.Oberoi, Additional Public Prosecutor for respondent-State, accepts notice in FIR No.910/2014 and submits that Reetu Chauhan, who is complainant of this FIR, is present in the Court. Mr. M.P.Singh, Additional Public Prosecutor for respondent-State accepts notice in FIR No.903/2014 and submits that Neetu Chauhan, is the complaint of this FIR and she is also present in the Court. Both the complainants have been identified by SI Rajinder, who is Investigating Officer of these FIRs.

4. Complainants of these cross FIRs submit that the misunderstanding, which led to registration of cross FIRs, now stands cleared. They submit that both the sides are neighbours and to restore harmony between the parties, proceedings arising out of these two FIRs be brought to an end.

5. 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.”

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

8. In view of the fact that the incident in question, which led to lodging of these two FIRs, took place on a trivial issue and the misunderstanding amongst the parties now stands cleared, this Court finds that continuance of proceedings arising out of these cross FIRs would be an exercise in futility.

9. Accordingly, the proceedings arising out of FIR No.910/2014 and FIR No. 903/2014, both registered at police station Malviya Nagar, New Delhi shall stand quashed, subject to deposit of cost of ₹10,000/- each by petitioners in the above captioned two petitions with the *Prime Minister's National Relief Fund* within four weeks and after placing on record receipt of deposit of cost within two weeks thereafter.

10. The above captioned two petitions are accordingly disposed of in aforesaid terms.

Dasti.

**(SUNIL GAUR)
JUDGE**

DECEMBER 20, 2018

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