

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

+ CRL.M.C. 6524/2018 & CrI.M.A. 50307/2018

VINOD YADAV & ORS. Petitioners
Through: Mr. A.K.Mehta, Advocate

Versus

THE STATE (NCT OF DELHI) & ANR. Respondents
Through: Ms. Neelam Sharma, Additional
Public Prosecutor for respondent
No.-State with SI Arun Kumar
Respondent No.2 in person with
Mr.U.A.Khan & Mr. Sharukh
Khan, Advocates

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of FIR No.386/2018, under Sections 420/506/120-B IPC, registered at police station Ghazipur, Delhi is sought, on the premise that the misunderstanding amongst the parties, which led to registration of FIR in question, stands cleared now.
2. Upon notice, Ms. Neelam Sharma, Additional Public Prosecutor for respondent-State submits that respondent No.2 is the complainant of FIR in question and he is present in the Court and he has been identified to be so, by SI Arun Kumar.
3. Respondent No.2 /Complainant submits that today he has received amount of ₹5,50,000/- by way of demand draft No.051827, dated 17th

December, 2018, drawn on Allahabad Bank, from petitioners and now, no dispute with petitioners survives and so, proceedings arising out of 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:-

“Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.

Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

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. Since the misunderstanding which led to lodging of FIR in question now stands cleared, therefore, this Court finds that continuance of proceedings arising out of this FIR would be an exercise in futility.

7. Accordingly, subject to petitioners depositing costs of ₹25,000/- with *Prime Minister's National Relief Fund* within four weeks from today and placing proof of its deposit on record of this case as well as before

the trial court, FIR No.386/2018, under Sections 420/506/120-B IPC, registered at police station Ghazipur, Delhi and proceedings emanating therefrom shall stand quashed.

8. This petition and application stand disposed of in aforesaid terms.

Dasti.

(SUNIL GAUR)
JUDGE

DECEMBER 20, 2018

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