

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

Date of Order: December 20, 2018

+ CrI.M.C.6543/2018

GANGA RAM

..... Petitioner

Through: Mr. Jaspreet Singh, Advocate

versus

STATE & ANR.

.....Respondents

Through: Mr. Izhar Ahmad, Additional
Public Prosecutor for State with SI
Vikram Singh, PS Karawal Nagar,
Delhi.

Mr. Ram Kumar, Advocate with
Respondent No. 2 in person

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of FIR No. 343/2013, under Sections 323/452/354/509/506/427 IPC, registered at police station Karawal Nagar, Delhi is sought on the basis of Settlement Deed of 6th December, 2018 (*Annexure-P-2*) and also on the ground that the misunderstanding which led to registration of the FIR, now stands cleared between the parties.

2. Mr. Izhar Ahmed, learned Additional Public Prosecutor for respondent-State accepts notice and submits that respondents No.2 is the complaint of FIR in question, who is present in the Court and has been identified to be so by SI Vikram Singh on the basis of identity proof produced by her.

3. Respondents No.2 present in the Court, submits that the dispute between the parties has been amicably resolved vide aforesaid Settlement Deed of 6th December, 2018 (*Annexure-P-2*). Respondent No. 2 affirms the contents of aforesaid Settlement Deed of 6th December, 2018 (*Annexure-P-2*) and affidavit filed in support of this petition and submits that 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. In the facts and circumstances of this case and in view of aforesaid Settlement Deed of 6th December, 2018 (*Annexure-P-2*), I find that since the differences between the parties have been amicably resolved, therefore, continuance of proceedings arising out of the FIR in question would be an exercise in futility.

6. Accordingly, this petition is allowed subject to cost of ₹10,000/- to be deposited by petitioner with *Prime Minister's National Relief Fund* within four weeks from today. Upon placing on record the receipt of

costs, and FIR No. 343/2013 under Sections 323/452/354/509/506/427 IPC, registered at police station Karawal Nagar, Delhi and the proceedings emanating therefrom shall stand quashed.

7. This petition is accordingly disposed of.

DASTI.

(SUNIL GAUR)
JUDGE

DECEMBER 20, 2018

p'ma

