



\$~67

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

+ **CRL.M.C. 2879/2023**

**SH BHUPINDER SINGH**

..... Petitioner

Through: Mr.Ikrant Sharma and Ms.Meenu  
Sharma, Advocates with petitioner in  
person.

versus

**GOVT. OF NCT OF DELHI & ANR.**

..... Respondents

Through: Mr.Digam Singh Dagar, APP for the  
State.  
Insp.Sudhir Kumar, PS Model Town  
Mr.Shailesh Kumar Yadav and  
Mr.Sudhir Kumar, Advocates for R-2  
with R-2 in person.

%

***Date of Decision: 25.04.2023***

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**J U D G M E N T**

**DINESH KUMAR SHARMA, J. (Oral)**

**CRL.M.A. 10792/2023 (exemption)**

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

**CRL.M.C. 2879/2023**

1. Present petition has been filed for quashing of FIR No.0186 dated 20.05.2018 registered under Section 354/354A IPC which was lodged

*CRL.M.C. 2879/2023*

*Page 1 of 4*



at PS Model Town on the statement of Ms.Harmeet Kaur wherein she alleged that on 19/05/2015 at about 01:30 P.M. the petitioner had touched Respondent No. 2 inappropriately in Langar Hall of Nanak Piao Gurudwara, Delhi and misbehaved with her.

2. Learned Counsel for the petitioner submits that the statement given by respondent no. 2 was given out of sudden outrage against the petitioner. He submits that in fact parties are known to each other as they both work in the same Gurudwara. He submits that the Gurudwara Prabhandhak Committee has intervened and got the matter settled on the following terms and conditions:
  1. *That both the parties have mutually agreed to put an end to all disputes whether past, present or future.*
  2. *That it has been mutually agreed between both the parties that the parties of the second part will co-operate with the parties of the first part to get the FIR bearing No. 186/2018 dated 20/05/2018 U/s 354/354(A) IPC got registered at Police Station Bharat Nagar, Delhi quash before the Hon'ble Delhi High Court.*
  3. *That as the parties of both the parts are working at same work place i.e., Gurudwara Nanak Piao, Delhi. So, it has been mutually agreed between the parties of both parts including their legal representatives/legal heirs (whether major or minor) etc. that they will maintain the peace and harmony amongst their livelihoods in future and neither of the party shall claim any sort of funds/amount/assets in regard to the both the above mentioned FIR(s) / complaint in future.*
  4. *That parties of both the parts have assured each other that besides the above said cases and complaints they have not filed/made any complaint/report against each other and in case if any other complaint or case is filed or pending from either party then they will themselves withdraw the same as the matter has already been settled between both the parties.*
  5. *That now there remain no dispute/ grievances between the parties and all the disputes related to each other have been settled between them.*



6. *That in case any of the party back out from the said compromise, then both the party shall be at liberty to proceed against each other as per law.*
3. The scope of powers conferred under Section 482 Cr.P.C. though wide but has to be exercised with circumspection. Such power has to be exercised in accordance with the guidelines engrafted in such power viz.: (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would merely be an abuse of process of law.
4. In ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***, 2019 SCC OnLine Del 8179, while examining the scope of Section 482 Cr.P.C it was *inter alia* held the inherent jurisdiction vested in the High Court, as recognized and preserved by Section 482 Cr. PC is primarily to “prevent abuse of the process of court” or to “otherwise secure the ends of justice”. The ends of justice are higher than the ends of mere law, the prime principle governing the exercise of inherent power being “to do real, complete and substantial justice” for which the court exists. The Court has to bear in mind that when the chances of an ultimate conviction are bleak and, no useful purpose is likely to be served by allowing a criminal prosecution to continue, it may while taking into consideration the special facts of a case quash the proceedings. In this regard, reliance can also be placed upon



*Madhavrao Jiwajirao Scindia v. Sambhajirao Chandrojiroo Angre*,  
(1988) 1 SCC 692.

5. I have interacted with the Complainant who is present in the court with her husband and has duly been identified by the IO. She submits that she has voluntarily entered into the settlement and that the petitioner has rendered an unconditional apology to her. The Petitioner is also present and states such an act will not be repeated in future. It has been stated by learned counsel for the petitioner that the Gurudwara Prabhandhak Committee has already imposed certain penalties upon the petitioner.
6. In view of the above submissions made by the parties, in my considered opinion, no purpose would be served if the proceedings are allowed to be continued as the complainant does not seem to be going to support the case of the prosecution.
7. Accordingly, FIR No.0186 dated 20.05.2018 registered under Section 354/354A IPC which has lodged at PS Model Town and all proceedings emanating therefrom are quashed.
8. The present petition along with the pending application stands disposed of.

**DINESH KUMAR SHARMA, J**

**APRIL 25, 2023**

rb