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

+ CRL.M.C. 5841/2022

RAJNISH JHA ALIAS RAJNISH KUMAR JHA & ANR. Petitioners

Through: Mr. Keshav Kumar Jha, Adv.

versus

STATE GNCT OF DELHI THROUGH CIEF SECRETARY AND
ANR Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Anita PS Ranhola.
Mr. B. N. Jha, Adv. for R-2

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+ CRL.M.C. 5854/2022

VIDYANAND PATHAK & ORS. Petitioners

Through: Mr. B. N. Jha, Adv.

versus

STATE GNCT OF DELHI THROUGH CIEF SECRETARY AND
ANR Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Anita PS Ranhola.
Mr. Keshav Kumar Jha, Adv. for R-2

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Date of Decision: 17th April, 2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petitions have been filed under section 482 Cr.P.C. seeking quashing of FIR No.852/2014 registered under section 323/354/34 IPC at PS Ranhola and FIR 853/2014 registered under section 323/354A/506/34 IPC at PS Ranhola.
2. Briefly stated facts of the case are that the parties were resident of the same locality having houses adjacent to each other. On 02.11.2014 a quarrel took place on petty issues which turned into a fight between the parties. Thereafter the parties got the above mentioned FIRs registered against each other on the same day i.e. 03.11.2014. The Chargesheet has been filed.
3. It is submitted that now the parties have voluntarily reached on a settlement with a view to settle the dispute between themselves amicably vide settlement deed dated 28.10.2022 therefore the present petition maybe allowed and the present Cross-FIRs be quashed along with all the other proceedings emanating therefrom.
4. The terms of the Compromise/Settlement Deed dated 28.10.2022 are as follows :

“And Whereas as efforts and attempts were made by the friends and elders as well as respectable people of the society thereby clarifying all the bona-fide mistakes, misunderstanding between the parties. There First party has thus agreed to withdraw the complaint made against the second Party. All the disputes

between the parties has been finally settled and now there is no ill will regarding each other. The parties have thus decided to fire petition for quashing of FIR on the basis of compromise deed without any terms and conditions.

And Whereas this FIR Quashing compromise Deed has been executed between the parties with mutual consent and free will without any pressure, force, coercion or user influence from any side. Now the parties have decided to resolve their disputes and to live a peaceful life.

Any complaint by the parties against each other shall stand withdrawn, cancelled and revoked finally after the signing of this mutual compromise deed subject to the decision of the Hon'ble High Court of Delhi."

5. I have gone through the settlement deed. The parties were neighbours living in houses adjacent to each other and the dispute between parties was a result of a quarrel arising out of petty issues, however now, the parties have amicably settled the matter between each other out of their own free will without any fear, force or coercion.

6. It has been repeatedly held by the Hon'ble Supreme Court and this court that when the chances of an ultimate conviction are bleak and, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, and where the court may be of the opinion that a settlement between the parties would lead to better relations between them, the court

may exercise power under section 482 Cr.P.C. for quashing the proceedings or the complaint or the FIR as the case may be.

7. I consider that there would be no purpose of continuing with the proceedings. The parties have amicably settled the matter. In view of the settlement deed along with the facts and circumstances of the case FIR No.852/2014 registered under section 323/354/34 IPC at PS Ranhola and FIR 853/2014 registered under section 323/354A/506/34 IPC at PS Ranhola along with all the other proceedings emanating therefrom are quashed.

8. The present petition is disposed of

DINESH KUMAR SHARMA, J

APRIL 17, 2023

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