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

+ **CRL.M.C. 59/2024**

RAKESH KAUSHIK

..... Petitioner

Through: Mr. Ajay Tyagi, Adv.
Petitioner in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Pradeep Gahalot, APP
with SI Neeraj Kumar, PS
South Rohini.
Mr. Sandeep Vats, Adv.
for R-2.
Respondent No. 2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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04.01.2024

CRL.M.A. 233/2024 (*exemption from filing certified copies of the annexures*)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 59/2024

3. The present petition is filed for quashing of E-FIR No. 12568/2017 dated 27.04.2017, under Section 379 and 411 of the Indian Penal Code, 1860 (**IPC**), at E-Police Station South Rohini, Outer District. The FIR was registered on a complaint made by one Mohit Giri, who is arrayed as Respondent No. 2 in the present petition.
4. It is averred by the complainant (Respondent No. 2) that his vehicle bearing Registration No. DL7SCB7616 was stolen from the parking of Hotel Seven Seas, Sector-3, Rohini, which led to the filing of the present E-FIR No. 12568/2017. The



investigation officer during investigation recovered the vehicle, which was found to be in possession of the petitioner and a chargesheet was filed against the petitioner under section 379/411 IPC. Now, the matter is pending before the learned Trial Court.

5. The present petition has been filed on the ground that the parties have amicably settled all their disputes by way of Memorandum of Understanding dated 04.08.2023. In terms of the compromise, parties have agreed that they will approach and appear before this Court seeking quashing of E-FIR No. 12568/2017.

6. The parties are present in person and have been duly identified by the Investigating Officer. They state that they have settled their disputes amicably, without any coercion or pressure.

7. They also state that they do not have any objection if the proceedings are quashed. SI Neeraj Kumar, PS South Rohini, Investigating Officer in the present case also states that he has no objection if the proceedings are quashed.

8. Offences under Section 379 and 411 IPC are compoundable in nature and the factum of settlement has also been confirmed by the Investigating Officer and the petition is duly supported by the sworn affidavit of the complainant. No useful purpose would be served by relegating the parties to the Trial Court for filing an application to compound the offence.

9. In view of the above, the present petition is allowed and E-FIR No. 12568/2017 and all consequential proceedings arising therefrom are quashed.

AMIT MAHAJAN, J

JANUARY 4, 2024/“SK”