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

+ **CRL.M.C. 204/2024**

KARTIK @ KARTIK MAHAJAN Petitioner

Through: Mr.Sandeep Sharma,
Mr.Hunnyver Singh,
Mr.Gaurav Dixit, Ms.Ranu
Rani, Advs.

versus

STATE OF DELHI AND ANR. Respondents

Through: Mr.Hemant Mehta, APP for
State alongwith SI Sonu Singh.
Mr.Vireshwar Tyagi, Adv. for
complainant with complainant.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **09.01.2024**

CRL.M.A. 820/2024 (Exemption)

1. Allowed, subject to all just exception.

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2. This petition has been filed seeking quashing of the FIR No. 241/2015 registered at Police Station: Kashmeri Gate under Section 392/394/34 of the India Penal Code, 1860, on the basis of a settlement.

3. In the FIR, it has been alleged that the complainant works as a delivery boy and had gone to deliver a jacket to the accused, who alongwith his friend cornered him and took his phone and purse. They also took his Metro Card, ATM card, and Identity Card.

4. The parties have now settled their disputes and have executed a MOU cum Compromise/Settlement Deed dated 11.10.2023.



5. The complainant/R-2, who appears in person and has been duly identified by the Investigating Officer (IO), submits that the complaint was filed due to some misunderstanding with the petitioner. He submits that he does not wish to pursue the complaint.

6. Keeping in view the nature of the allegations and the fact that the respondent no.2 does not wish to pursue his complaint any further, I find that no useful purpose would be served in keeping the FIR alive, as it would rather cause an unnecessary burden on the State exchequer. This Court is also guided by the principles enunciated by the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303 and *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58.

7. Accordingly, the petition is allowed. FIR no. 241/2015 registered at Police Station: Kashmeri Gate under Section 392/394/34 India Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.25,000/- with the Delhi High Court Bar Association within a period of two weeks from today. Proof of such deposit shall be filed by the petitioner with the Registry of this Court and a copy thereof be also supplied to the concerned Investigating Officer.

8. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 9, 2024/Arya/ss

Click here to check corrigendum, if any