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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 331/2024 & CRL.M.A. 1279/2024 (Exemption)

DEEPAK JAIN

..... Petitioner

Through: Mr. Sachin Sharma, Advocate
alongwith petitioner in person.

versus

GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Sunder Singh, PS Nangloi.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

06.02.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 267/2022, under Sections 420/506/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate-05, (West), Tis Hazari Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings, parties have entered into a settlement dated 15.07.2022 (Annexure P-3) and in pursuance of the same respondent no. 2 has no objection if the present FIR and consequent proceedings against the petitioner is quashed.
3. As per the said settlement deed, petitioner has agreed to pay an amount of Rs. 12,10,000/- to the respondent no.2 as full and final settlement.



The copy of the aforesaid settlement deed dated 15.07.2022 is on record (Annexure P-3).

4. Further, as per the settlement deed, the total amount of Rs. 12,10,000/- has already been paid to respondent no.2.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Sunder Singh, PS Nangloi.

6. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

7. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

8. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes 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 proceeding.”

9. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 267/2022, under Sections 420/506/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings



emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate-05, (West), Tis Hazari Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 267/2022, under Sections 420/506/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate-05, (West), Tis Hazari Courts, Delhi, is hereby quashed subject to payment of cost of Rs. 35,000/- to be deposited by the petitioner with the Delhi Legal Services Authority within a period of ten days from today. The amount deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

11. Copy of the order be communicated to the Member Secretary, DLSA for intimation.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 06, 2024/sn