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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 414/2024**
NEERAJ BABUTA

..... Petitioner

Through: Mr.Sudarshan Ranjan &
Mr.Hitain Bajaj, Advs. with
petitioner in person.

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Sanjeev Sabharwal, APP.
SI Rahul Malik, ASI Sunil Dutt,
PS Maurya Enclave.
Respondent no.2 (through VC)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **18.01.2024**

CRL.M.A. 1618/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 414/2024 & CRL.M.A. 1617/2024

2. This petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') seeking quashing of the FIR No.0077/2020 registered at Police Station: Maurya Enclave, North-West District, Delhi, under Section 336 of the Indian Penal Code, 1860 (in short, 'IPC'), on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Sanjeev Sabharwal, learned APP on behalf of the State.

5. The above FIR has been registered on the complaint filed by the Respondent no.2/Complainant stating that the accused had negligently



installed the shuttering of the iron pipes in his house, which fell on the house and cars of the complainant, causing damage to the same.

6. Learned counsel for the petitioner submits that the respondent no.2 and the petitioner are neighbours and they have amicably settled their disputes and have now entered into a Settlement Agreement dated 13.01.2024.

7. The Respondent no.2 appears virtually, and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that he has settled the disputes with the petitioner of his own free will and without any coercion. The respondent no.2 states that he has no objection to quashing of the FIR.

8. I have considered the submissions made.

9. Keeping in view the fact that the respondent no.2 does not wish to pursue his complaint any further and also keeping in view the guidelines issued by the Supreme Court in **Gian Singh v. State of Punjab**, (2012) 10 SCC 303; and **Parbathai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.**, (2017) 9 SCC 641, I find that no useful purpose will be served in continuing with the proceedings emanating from the above-mentioned FIR. The chances of its success will be rather minuscule.

10. Accordingly, FIR No.0077/2020 registered at Police Station: Maurya Enclave, North-West District, Delhi, under Section 336 of the IPC and all the proceedings emanating therefrom are quashed, subject to the condition that the petitioner deposits costs of Rs.10,000/- with the *Delhi State Legal Services Authority*, within ten days from today. The amount so deposited shall be utilised by the *Delhi State Legal*



Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

11. The petitioner shall file with the Registry of this Court, proof of deposit of the above costs of Rs. 10,000/-, and also supply a copy thereof to the concerned IO, within the above said period.

12. In view of the above, the petition is disposed of.

NAVIN CHAWLA, J

JANUARY 18, 2024/rv/ss

[Click here to check corrigendum, if any](#)