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

+ **CRL.M.C. 560/2024 & CRL.M.A. 2286/2024 (stay)**

ASHUTOSH RAJOTIA, & ORS. Petitioners

Through: **Mr. Gaurav Sharma, Advocate
alongwith Petitioners inperson.**

versus

STATE OF NCT DELHI & ANR. Respondents

Through: **Mr. Sunil Kumar Gautam, APP for
the State with SI Ravi Yadav, P.S.
Lajpat Nagar.
Mr. Manish Miglai, Mr. Lalit Chand
Sharma, Mr. Mohit Miglani & Mr.
Lakshay Bhardwaj, Advocates for
R-2.
R-2 in person through VC.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% 05.02.2024

CRL.M.A. 2287/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 560/2024 & CRL.M.A. 2286/2024 (stay)

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 335/2014, under Sections 323/451/506/34 of the IPC, registered at P.S. Lajpat Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Kumar Rahul, learned Metropolitan Magistrate, South-East, Saket Courts, Delhi.



4. Learned counsel appearing on behalf of the petitioners submits that the latter and respondent no. 2/complainant are neighbours. It is submitted that a trivial dispute resulted into the registration of the present FIR as well as cross FIR No. 334/2014, under Sections 323/451/506/509/34 of the IPC, at P.S. Lajpat Nagar, at instance of petitioner no. 1 herein.

5. It is further submitted that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement *vide* memorandum of understanding/MOU dated 04.12.2023. In pursuance of the same, the parties have agreed to cooperate in quashing of the present FIR as well as cross-FIR. The cross-FIR is the subject matter of CRL.M.C. 559/2024 which has been disposed of by an order of the same date.

6. The petitioners appear in person and complainant/respondent no. 2 appears through video conferencing and they have been duly identified by their respective counsel, as well as the Investigating Officer, S.I. Ravi Yadav, P.S. Lajpat Nagar.

7. 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. Injured/Ms. Seema Miglani who has not been arrayed as a party in the present petition appears through video conferencing and submits that she also has no objection if the present FIR is quashed.

8. Learned APP for the State submits that there are two other injured persons in the present FIR, who have since passed away. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

9. 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.”

10. 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. 335/2014, under Sections 323/451/506/34 of the IPC, registered at P.S. Lajpat Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Kumar Rahul, learned Metropolitan Magistrate, South-East, Saket Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 335/2014, under Sections 323/451/506/34 of the IPC, registered at P.S. Lajpat Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Kumar Rahul, learned Metropolitan Magistrate, South-East, Saket Courts, Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 5, 2024/bsr