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

+ **W.P.(CRL) 251/2024**

MUMTAZ ALAM

..... Petitioner

Through: Mr. A.K. Verma, Advocate alongwith
petitioner in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Rahul Tyagi, ASC (Crl.) for the
State with Ms. Priya Rai, Mr. Sangeet
Sibou & Mr. Jatin, Advocates.
SI Shri Narayan, P.S. Hauz Qazi.
Mr. Sandeep Jain, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.02.2024

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CRL.M.A. 2301/2024 (Exemption)

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

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3. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 117/2017, under Section 292 of the IPC and Section 67 of the Information and Technology Act, registered at P.S. Hauz Qazi.
4. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement before Delhi Mediation Centre, Tis Hazari Courts, *vide*



settlement dated 06.07.2018 (Annexure P-2). In pursuance of which, respondent no. 2 has no objection if the present FIR is quashed.

5. Petitioner 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 Shri Narayan, P.S. Hauz Qazi.

6. The complainant/respondent No.2 states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed.

7. Learned APP for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. 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. 117/2017, under Section 292 of the IPC and Section 67 of the Information and Technology Act, registered at P.S. Hauz Qazi.

10. In the interest of justice, the petition is allowed, and the FIR No.



117/2017, under Section 292 of the IPC and Section 67 of the Information and Technology Act, registered at P.S. Hauz Qazi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 28, 2024/bsr