



\$~5

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

+ CRL.M.C. 903/2024

SH. KAMAL RATHOR & ORS.

..... Petitioners

Through: Mr. Vivek Chaudhary, Adv. with
petitioners through VC.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with ASI Vijay Pal Singh &
SI Radha, P.S. Begumpur.
Mr. Lokesh Bharti & Mr. BB panda,
Advts. for R-2 to 5 with R-2 to 5
(through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

01.04.2024

%

1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 226/2018, under Sections 323/341/325/308/506/34 IPC, registered at P.S. Begam Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Babru Bhan, learned ASJ, North West, Rohini Courts, Delhi.
2. Amended memo of parties has been filed and the same is taken on record.
3. Learned counsel for the petitioners submits that latter and respondent no.2 are neighbours and on account of petty dispute the present FIR was registered against the present petitioners at the instance of respondent no. 2. It is pointed out that a cross FIR bearing No. 227/2018 under Sections 323/341/506/34 of the IPC, was registered at P.S. Begum Pur at the instance



of the petitioner no. 1 herein, has been compounded before the learned Metropolitan Magistrate.

4. On 09.01.2024, parties arrived at a settlement and in pursuance of the same, respondent No.2 have no objection to the quashing of the FIR as well as proceedings emanating therefrom. A copy of the said settlement deed has been placed on record as Annexure-P4.

5. Petitioners and complainant/respondent no. 2 are present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer ASI Vijay Pal Singh and SI Radha, P.S. Begum Pur.

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

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. 226/2018, under Sections



323/341/325/308/506/34 IPC, registered at P.S. Begam Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Babru Bhan, learned ASJ, North West, Rohini Courts, Delhi

10. In the interest of justice, the petition is allowed, and the FIR No. 226/2018, under Sections 323/341/325/308/506/34 IPC, registered at P.S. Begam Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Babru Bhan, learned ASJ, North West, Rohini Courts, Delhi, is hereby quashed, subject to petitioners depositing a cost of Rs. 5,000/- each as a consolidated sum of Rs. 15,000/- with Delhi High Court Bar Association Employees Welfare Fund within 7 working days from today.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 01, 2024/nk

Click here to check corrigendum, if any