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

+ CRL.M.C. 929/2024 & CRL.M.A. 3733/2024 (Exemption)

SH SHAHID HUSSAIN Petitioner

Through: Mr. Vikas Kumar, Advocate
alongwith petitioner in person.

versus

THE STATE NCT OF DELHI AND ANR. Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.

SI Abhimanyu Kumar, PS Aman
Vihar.

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. 28/2021, under Sections 354/506/509/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi.

2. Learned counsel appearing on behalf of the petitioner submits that latter and respondent no. 2 are neighbours and on account of a dispute between them the present FIR was registered against the present petitioner at the instance of the respondent no. 2. It is pointed out that a cross-FIR bearing No. 1131/2020, under Sections 323/341/307/34 IPC at P.S. Nangloi was also registered at the instance of the present petitioner against the husband of the respondent no. 2 herein alongwith other co-accused persons



which is the subject matter of CRL.M.C. 926/2024.

3. It is further submitted that on 08.12.2023, parties have arrived at a memorandum of understanding (MoU) and as per the said MoU, parties have no objection to quashing of the cross-FIRs. The cross-FIR is the subject matter of CRL.M.C. 926/2024, which has been disposed of by this Court by a separate order of the same date.

4. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Abhimanyu Kumar, PS Aman Vihar.

5. 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.

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

7. 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.”

8. 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. 28/2021, under Sections 354/506/509/34 of the IPC, registered at P.S. Aman Vihar and all other



consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 28/2021, under Sections 354/506/509/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi, is hereby quashed subject to payment of cost of Rs. 10,000/- to be deposited by the petitioner with the Delhi Legal Services Authority within a period of one week from today. The amount deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

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

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 06, 2024/sn