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

\+ CRL.M.C. 1012/2024

PARAS RAM MISHRA @ PARASHU RAM MISHRA

..... Petitioner

Through: Mr.Suryadeo Kushwaha, Adv.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr.Aman Usman, APP SI Sadhna.
Mr.Dharamjeet, Adv for R-2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

O R D E R

% **08.02.2024**

CRL.M.A. 4041/2024 (Exemption)

1. Allowed, subject to all just exception.

CRL.M.C. 1012/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.1811/2015, registered at Police Station: Mangolpuri, Outer-District, Delhi, under Sections 420/467/468/471 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice accepted by Mr.Aman Usman learned APP, and Mr.Dharamjeet learned counsel for the respondent no.2.

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5. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Compromise entered into between the parties, recorded in the order dated 08.12.2020 in CS No. 1927/18 titled as ***Sukam Chand v. Sat Narain***, before the learned Senior Civil Jude/Rent Controller, North West District, Rohini Courts, Delhi.

6. The respondent no.2, who is present in person in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that he has settled all the disputes with the petitioner of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

7. I have perused the contents of the FIR and also the settlement between the parties.

8. Keeping in view the fact that parties the respondent no.2 does not wish to pursue his complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

9. Guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*** (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 3, this Court deems it

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appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

10. Accordingly, the petition is allowed. FIR No.1811/2015 registered at Police Station: Mangolpuri, Outer-District, Delhi, under Sections 420/467/468/471 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioners deposit costs of Rs.15,000/- with the Delhi State Legal Services Authority within a period of two weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

11. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

12. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 8, 2024/Arya/ss

Click here to check corrigendum, if any

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