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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 366/2022**
SONALI GAUR Petitioner

Through: Mr.Shivmangal Sharma,
Mr.Deepak Verma, Mr.Ashwin
Garg, Advs.

versus

STATE THROUGH THE COMMISSIONER DELHI
POLICE & ANR. Respondents

Through: Mr.Shoaib Haider, APP with
SI Sandeep, SI Sanjeet.
Ms.Ayusa Singh Sahni,
Mr.Lajpat Rai, Advs. for R-7.
Ms.Radha Krishan Gaur, in
person.
R-6/Dharmender Singh, in
person (through VC)

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.02.2024**

CRL.M.A. 3655/2024(exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 366/2022 & CRL.M.As 1658/2022, 3654/2024

2. The present petition under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C'). challenges the order dated 03.12.2021 passed by the learned Metropolitan Magistrate-11, South-West District, Dwarka Courts, Delhi in Cr.Case. no.8229/2021 (hereinafter referred to as the 'Trial Court') titled *State v. Sonali Gaur*, issuing summons to the petitioner as an



accused in FIR no.591/2020 registered with Police Station: Janakpuri, Delhi under Sections 420/34 Indian Penal Code (in short, 'IPC').

3. The learned counsel for the petitioner submits that during the pendency of the present petition, the dispute between the parties has been settled and the Memorandum of Settlement dated 25.08.2023 has been executed between the parties before the Mediation Center, Dwarka Courts, New Delhi. Another settlement dated 02.01.2023 has been executed between the petitioner and the respondent no.8/Ram Prakash Gupta, resolving all their *inter se* disputes. He submits that in view of the said settlement, father of the petitioner has executed the Sale Deed dated 01.03.2023. The statement of the respondent nos.2 and 3 has also been recorded before the learned Trial Court on 01.12.2023 to the effect that they have received full and final payment from the petitioner and wish the offence to be compounded.
4. Mr.Anil Kumar Gupta, the respondent no.5, appears virtually and has been identified by the IO. He submits that he also has no objection if the FIR and the proceedings emanating therefrom are quashed by this Court.
5. The learned counsel for the petitioner, on the asking of the respondent no. 5, has handed over a demand draft of Rs.4,68,000/- in the name of the respondent no. 5 to Mr.Harish-respondent no.4, who is personally present in Court and has been duly identified by the IO.



6. The learned counsel for the petitioner also hands over another demand draft of Rs.2,42,400/- in the name of the respondent no.4 to the respondent no.4.
7. The respondent no.6 is also appearing virtually and has been duly identified by the IO and submits that he has received full and final payment under the settlement with the petitioner and does not wish to pursue the case. His statement in this regard is also recorded by the learned Trial Court vide Order dated 25.01.2024.
8. The learned counsel for the respondent no.7 submits that the respondent no.7 has also received full and final payment in view of the settlement and he has instructions to state that the respondent no.7 also does not wish to pursue the present complaint.
9. Keeping in view the above statements of the complainants that they do not wish to pursue their complaint case 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.
10. In view of the above and 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 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 consequential proceedings emanating therefrom against the petitioner.

11. Accordingly, the petition is allowed. The summoning order dated 03.12.2021 passed by the learned Trial Court is set aside, and the FIR no.591/2020 registered with Police Station: Janakpuri, Delhi under Sections 420/34 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.35,000/- 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.
12. The costs so deposited shall be utilized by the Delhi State Legal Services Authority for providing support to the Acid Attack Victims requiring such assistance.
13. The pending applications are also disposed of as infructuous.

NAVIN CHAWLA, J

FEBRUARY 5, 2024
RN/AS

Click here to check corrigendum, if any