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

+ **W.P.(CRL) 449/2024**

AMBER JAITELY & ORS.

..... Petitioners

Through: Mr. Sumit R. Sharma, Adv. with
petitioners in person.

versus

GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
State with Insp. Jai Prakash Nagar,
P.S. Greater Kailash-I.
Mr. Madhav Khurana & Ms.
Sanjivani Pattjoshi, Advs. with
complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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08.02.2024

CRL.M.A. 4090/2024-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 Section 482 Cr.P.C. seeks quashing of FIR No. 357/2020, under Sections 384/387/34/120B of the IPC, registered at P.S. Greater Kailash and all other consequential proceedings emanating therefrom.
4. Learned counsel for the petitioner submits that on account of some misunderstanding with respect to an agreement, the present FIR was registered at the instance of respondent no.2. It is submitted that during the pendency of the investigation of the aforesaid FIR, the parties have arrived



at settlement *vide* Memorandum of Settlement dated 22.01.2024, in pursuance of which respondent no.2 has no objection to the quashing of the present FIR.

5. Petitioners 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, Insp. Jai Prakash Nagar, P.S. Greater Kailash-I

6. The complainant/respondent no.2 states that the matter has been settled with the petitioners and he has 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. 357/2020, under Sections 384/387/34/120-B of IPC, registered at P.S. Greater Kailash and all other consequential proceedings emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 357/2020, under Sections 384/387/34/120-B of IPC, registered at P.S.



Greater Kailash and all other consequential proceedings emanating therefrom, is hereby quashed subject to cost of Rs. 1,00,000/- to be deposited by the petitioners with the Saket Bar Association Welfare Fund (A/c no. 32895685000, State Bank of India) within 10 days from today.

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

AMIT SHARMA, J

FEBRUARY 8, 2024/nk