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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1056/2024 & CRL.M.A. 4208/2024**

CHANDRIKA PRASAD MISHRA AND ORS Petitioners

Through: Mr.Pankaj Kappor, Mr.Nikhil
Bahri, Mr.Abhishek Kaushik,
Advs.

versus

STATE GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr.S.S.Bawa, APP with
SI Tarun.
Mr.Yogesh Pandey, Mr.Umang
Aditya Singh, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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27.02.2024

1. 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.142/2018 registered at Police Station: Mangol Puri, Delhi, under Sections 354/509/323/341/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.
2. The disputes arose between the parties out of some petty issues regarding parking of a bike which led to a quarrel between the parties, which led to the filing of the abovementioned FIR.
3. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/MoU dated 02.12.2023.



4. The respondent no.2, who is present in Court (through VC) and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.
5. I have perused the contents of the FIR and also the settlement between parties.
6. Keeping in view the fact that as the respondent no.2 does not wish to pursue her 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.
7. 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 335, 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 the proceedings emanating therefrom.
8. Accordingly, the petition is allowed. FIR No.142/2018 registered at Police Station: Mangol Puri, Delhi, under Sections 354/509/323/341/506/34 of the IPC and all consequential



proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.10,000/- each with the Delhi State Legal Services Authority within a period of two weeks from today, and file proof thereof with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

9. 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.

NAVIN CHAWLA, J

FEBRUARY 27, 2024

RN/am

[Click here to check corrigendum, if any](#)