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

+ CRL.M.C. 1071/2024 & CRL.M.A. 4256/2024 (Stay), CRL.M.A. 4257/2024 (Exemption)

HASIB REHMAN

..... Petitioner

Through: Mr. Deepanshu C. And Mr. Neeraj Tiwari, Advocates alongwith petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for the State.
SI Manoj Kumar, PS Nihal Vihar.
Mr. Rohit Kumar, Advocate for R2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

09.02.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 204/2018, under Sections 420/468/471/120B/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. P. Bhargav Rao, learned Metropolitan Magistrate-03, (West), Tis Hazari Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings parties have entered into a memorandum of understanding dated 05.02.2024, pursuant to which respondent no. 2 has no objection if the present FIR alongwith consequent proceedings is quashed against the petitioner (Annexure 4).



3. Learned APP for the State, on instructions from the Investigating Officer, submits that the accused no. 1, Satyadev, has since been passed away and other accused persons, namely, Sumitra/accused no. 2 and Parvesh/accused no. 3 have been declared proclaimed offender.

4. Petitioner 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, SI Manoj Kumar, PS Nihal Vihar.

5. The complainant/respondent No.2 states that the matter has been settled with the petitioner and he has no objection if the FIR is quashed *qua* the present petitioner. He further states that all the terms of the agreement have been complied with.

6. In view of the settlement between the parties, learned Standing Counsel for the State also has no objection if the present FIR is quashed *qua* the present petitioner.

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. 204/2018, under Sections 420/468/471/120B/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. P. Bhargav Rao, learned Metropolitan Magistrate-03, (West), Tis Hazari Courts, Delhi *qua* the present petitioner.

9. In the interest of justice, the petition is allowed, and the FIR No. 204/2018, under Sections 420/468/471/120B/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Sh. P. Bhargav Rao, learned Metropolitan Magistrate-03, (West), Tis Hazari Courts, Delhi, is hereby quashed *qua* the present petitioner.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 09, 2024/sn