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

+ **W.P.(CRL) 463/2024 & CRL.M.A. 4219/2024 (Exemption)**

MOHD RASHID

..... Petitioner

Through: Mr. Mustofa Ali, Advocate alongwith
petitioner in person.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State.

SI Mahavir, PS Daryaganj.

Mr. Rajeev Kumar and Ms. Syra
Bano, Advocates for R-2 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 Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 118/2023, under Sections 354-D/506/509 of the IPC, registered at P.S. Daryaganj and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Kheriya, learned Metropolitan Magistrate, Family Court, Saket Courts, Delhi.

2. Learned counsel appearing on behalf of the petitioner submits that the latter and respondent no. 2 are neighbours and the present FIR was registered at the instance of the respondent no. 2 on account of some dispute between them. It is further submitted that during the pendency of the aforesaid proceedings the parties have arrived at a settlement *vide* dated 18.01.2024, pursuant to which respondent no. 2 has no objection if the



present FIR alongwith consequent proceedings is quashed against the petitioner (Annexure P-6).

3. 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 Mahavir, PS Daryaganj.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

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

6. 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.”

7. 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. 118/2023, under Sections 354-D/506/509 of the IPC, registered at P.S. Daryaganj and all other consequential proceedings emanating therefrom, including the chargesheet



pending before the Court of Ms. Neha Kheriya, learned Metropolitan Magistrate, Family Court, Saket Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 118/2023, under Sections 354-D/506/509 of the IPC, registered at P.S. Daryaganj and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Kheriya, learned Metropolitan Magistrate, Family Court, Saket Courts, Delhi, is hereby quashed.

9. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 09, 2024/sn