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

+ **W.P.(CRL) 484/2023**

SUSHIL TYAGI & ORS.

..... Petitioners

Through: Mr. Anil Sehgal and Mr. Lalit
Khurana, Advocates

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhy, ASC for
the State with SI Deepak Kumar, P.S.
Burari.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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07.02.2024

CRL.M.A. 4477/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 1317/2015, registered at Police Station Burari, Delhi for offence punishable under Sections 354/452/323/354/354B/34 of the Indian Penal Code, 1860 ('IPC') and all other proceedings emanating therefrom.
4. Issue notice. Ms. Rupali Bandhopadhy, learned ASC accepts notice on behalf of State.



5. All the petitioners are present before this Court and have been identified by their counsel Mr. Anil Sehgal and Investigating Officer (IO) SI Deepak Kumar from Police Station Burari, Delhi.

6. The brief facts of the present case are that on 26.10.2015, due to ongoing property dispute between the parties and out of some misunderstanding and confusion between petitioners and respondent no. 2 to 4, the present FIR bearing no. 1317/2015 under Sections 354/452/323/354/354B/34 of IPC was registered at Police Station Burari, Delhi. It is stated that chargesheet stands filed in this case on 27.06.2018 before the concerned court. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Deed dated 13.01.2023.

7. It is stated that respondent no. 2 has unfortunately passed away. On a query made by this Court, respondent no. 3&4 who have been identified by the IO, have categorically stated that they have entered into settlement out of their own free will, volition and without any coercion, pressure or threat and have no objection, if the FIR is quashed.

8. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing no. 1317/2015, registered at Police Station Burari, Delhi for offence punishable under Sections 354/452/323/354/354B/34 of IPC and all consequential proceedings



emanating therefrom are quashed.

10. In view of the above, the present petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 7, 2024/zp

Click here to check corrigendum, if any