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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1317/2024 & CRL.M.A. 5177/2024 (Exemption)
ARUN SRIVASTAVA Petitioner

Through: Mr. R.K.Burman, Advocate
alongwith petitioner in person.

versus

THE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Mukesh Kumar, APP for the
State.

S.I. Gautam, P.S. K.N.K. Marg.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
19.02.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 264/2017, under Sections 354/354A/354C/354D/509/506 of the IPC, registered at P.S. K.N.K. Marg and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kadambari Awasthi, learned Metropolitan Magistrate, Rohini Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that the respondent no. 2 is the sister of the petitioner's son-in-law, Shivam and the present FIR was registered at the instance of respondent no. 2 on account of some family disputes. It is pointed out that at the instance of the petitioner's daughter, various FIRs were registered against her husband Shivam



(respondent no. 2's brother). It is further pointed out that petitioner's daughter had married Shivam on 16.12.2020 as per Hindu rites and ceremonies and one male child was born out of the said wedlock on 12.08.2021.

3. Attention of the Court is drawn to an order passed by this Court on 10.05.2023 in CRL.M.C. 2296/2023, whereby FIR No. 262/2017, under Section 354D/506 of the IPC and Section 12 of the POCSO Act, registered at the instance of the petitioner's daughter against her husband Shivam (respondent no. 2's brother), at P.S. KNK Marg alongwith other proceedings emanating therefrom including the pending chargesheet have been quashed and it has been observed as under:

“4. The attention of the Court was drawn to orders dated 03.05.2023 and 06.03.2023 in CRL.M.C. 3137/2023 and CRL.M.C. 1557/2023 respectively, passed by a coordinate bench of this Court, whereby FIR No. 28/2017, under Sections 354/354A/354D/506/509 of the IPC and Section 12 of the POCSO Act and FIR bearing no. 547/2018, under Sections 354/506/509 of the IPC and Sections 8/12 of the POCSO Act alongwith pending chargesheet have been quashed.”

4. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, S.I. Gautam, P.S. K.N.K. Marg.

5. 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.

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



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. 264/2017, under Sections 354/354A/354C/354D/509/506 of the IPC, registered at P.S. K.N.K. Marg and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kadambari Awasthi, learned Metropolitan Magistrate, Rohini Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 264/2017, under Sections 354/354A/354C/354D/509/506 of the IPC, registered at P.S. K.N.K. Marg and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kadambari Awasthi, learned Metropolitan Magistrate, Rohini Courts, Delhi, is hereby quashed.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 19, 2024/sn