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

(89)+ CRL.M.C. 1374/2024

(90) CRL.M.C. 1375/2024

(91) CRL.M.C. 1381/2024

SIKANDER

..... Petitioner

RAJESH PORWAL

..... Petitioner

SIKANDER

..... Petitioner

Through: Mr.Mohit Bansal, Adv.

versus

THE STATE AND ANOTHER

..... Respondents

Through: Mr. Shoaib Haider, APP with
SI Pooja Saraswat PS Malviya
Nagar, SI Amit Beniwal PS
Vivek Vihar, SI Ashok
Rajbaniya, PS Farse Bazar.
Complainants/Respondent no.2
in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

20.02.2024

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1. These petitions have filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR Nos.614/2018 registered at Police Station: Vivek Vihar, Shahdara-District, Delhi, under Sections 323/354/354(B)/506/509/34 of the Indian Penal Code, 1860 (in short, 'IPC'); FIR No.0616/2018 registered at Police Station: Vivek Vihar, Shahdara-District, Delhi under Sections 323/351/354/354(B)/509 and Section 12 of the



Protection of Children from Sexual Offences Act, 2012 (in short, 'POCSO'); and FIR No.0716/2021 registered at Police Station: Farsh Bazar, Shahdara-District, Delhi, under Sections 354/509/506/34 of the IPC, along with all other proceedings arising therefrom, on the basis of a settlement.

2. Issue notice.
3. Notice is accepted by Mr. Shoaib Haider, learned APP and respondent no.2.
4. The learned counsel for the petitioner(s) submits that the petitioners and the respondent no.2 are neighbours and the dispute arose out of some petty issues between the parties which led to the filing of the above mentioned Cross - FIR(s).
5. The learned counsel for the petitioner(s) submits that the parties have now amicably settled their *inter se* disputes and have entered into Settlement Agreements/Compromised Deeds dated 20.09.2022 and 24.05.2023.
6. The complainants/respondent no.2 in all the petitions, who are present in person in Court and have been duly identified by the Investigating Officer (IO), affirm the settlement and state that they have settled all the disputes with the petitioner(s) of their own free will and without any coercion. The complainants/respondent no.2 in their respective petitions submit that they have no objection if the present FIRs are quashed.
7. I have perused the contents of the FIRs and also the settlement between the parties.
8. Keeping in view the fact that these are the Cross-FIRs between



the parties, and complainants/respondent no.2 in their respective FIRs do not wish to pursue the complaint(s) 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 FIRs as the chances of their 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.

9. 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, *Narinder Singh v. State of Punjab*, (2014) 6 SCC 466; *The State of Madhya Pradesh v. Laxmi Narayan*, (2019) 5 SCC 688; and judgment of this Court dated 22.05.2023 in CRL.M.C. 2153/2021, titled as *Vijay Kumar v. The State Govt. of NCT of Delhi & Anr.*, 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 above FIRs and all the proceedings emanating therefrom.

10. Accordingly, the petitions are allowed. FIR Nos.614/2018 registered at Police Station: Vivek Vihar, Shahdara-District, Delhi, under Sections 323/354/354(B)/506/34 of the IPC; FIR No.0616/2018 registered at Police Station: Vivek Vihar, Shahdara-District, Delhi under Sections 323/351/354/354(B)/509 of the IPC and Section 12 of the POCSO Act and FIR No.0716/2021 registered at Police Station: Farsh Bazar, Shahdara-District, Delhi, under Sections 354/506/509/34



of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that each of the petitioners in each of the petitions deposits costs of Rs.20,000/- each with the '*Delhi High Court Clerks Welfare Association*' within a period of two weeks from today, and files proof of such deposit with the Registry of this Court and also supplies a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

FEBRUARY 20, 2024/Arya/ss

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