



\$~64

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

+ **CRL.M.C. 1404/2024**

HEM GOYAL

..... Petitioner

Through: Ms. Kamakshi Garg, Advocate
alongwith petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Rajat Khaiwal, P.S.
Paschim Vihar, East.
Ms. Chanchal Kumari, Advocate for
R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

21.02.2024

CRL.M.A. 5550/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 1404/2024

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 54/2017, under Sections 354(A)/506/509 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aneeza Bishnoi, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.



4. Learned counsel appearing on behalf of the petitioner submits that the latter and respondent no. 2 are neighbours and on account of some dispute relating to construction, the present FIR was registered. During the pendency of the aforesaid proceedings, the parties have since settled their dispute and entered into Memorandum of Understanding dated 15.02.2024. In pursuance of which, respondent no. 2 has no objection, if the present FIR and subsequent chargesheet are quashed.

5. 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 Rajat Khaiwal, P.S. Paschim Vihar, East.

6. 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.

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

8. 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.”

9. 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. 54/2017, under Sections



354(A)/506/509 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aneez Bishnoi, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 54/2017, under Sections 354(A)/506/509 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aneez Bishnoi, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 21, 2024/bsr