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

+ **CRL.M.C. 1489/2024**

MR.SALIM AND ANR

..... Petitioners

Through: Mr. Javed Khan, Advocate alongwith
petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for the
State with SI Priyanka Rana, P.S.
Darya Ganj.
Ms. Ashima Khan, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

23.02.2024

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CRL.M.A. 5842/2024 (Exemption)

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

CRL.M.C. 1489/2024

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 37/2017, under Sections 324/34 of the IPC, registered at P.S. Darya Ganj and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Sharma, learned Metropolitan Magistrate-05, Central, Tis Hazari Courts, Delhi.



4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the aforesaid proceedings, the parties have settled their dispute before Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* settlement dated 22.02.2023 (Annexure P-3). In pursuance of said settlement, the cross FIR bearing no. 36/2017, under Section 325/34 of the IPC, registered at the instance of Mr. Hamadullak (brother of the petitioners) against respondent no. 2 herein and his brother Mr. Rohan Ahmed, has been compounded *vide* order dated 19.05.2023, passed by Sh. Gaurav Sharma, learned Metropolitan Magistrate-05, Central, Tis Hazari Courts, Delhi.

5. Petitioners 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 Priyanka Rana, P.S. Darya Ganj.

6. The complainant/respondent No.2 states that the matter has been settled with the petitioners and he 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. 37/2017, under Sections 324/34 of the IPC, registered at P.S. Darya Ganj and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Sharma, learned Metropolitan Magistrate-05, Central, Tis Hazari Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 37/2017, under Sections 324/34 of the IPC, registered at P.S. Darya Ganj and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Sharma, learned Metropolitan Magistrate-05, Central, 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 23, 2024/bsr