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

+ **W.P.(CRL) 674/2024**

HARISH KUMAR & ORS.

..... Petitioners

Through: Mr. Shiv Charan Garg, Mr. Imran Khan & Mr. Mehar Singhal,
Advocates alongwith petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Mr. Abhinav Kumar Arya & Mr. Shivesh Kaushik, Advocates.
SI Ayush, P.S. Roop Nagar.
Mr. Sushant, Advocate for R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

19.03.2024

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CRL.M.A. 6327/2024 (Exemption)

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

W.P.(CRL) 674/2024

3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 323/2021, under Sections 323/354/354(A)/509/34 of the IPC, registered at P.S. Roop Nagar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Jyoti Maheshwari, learned Metropolitan Magistrate, Central, Tis Hazari Courts,



Delhi.

4. Learned counsel appearing on behalf of the petitioners submits that latter and respondent no. 2 are neighbours and on account of some misunderstanding, various cross-FIRs had been registered against each other. It is submitted that during the pendency of the proceedings, the parties have settled their dispute *vide* compromise deed dated 29.11.2023. In pursuance of which, respondent no. 2 has no objection if the present FIR is quashed.

5. It is pointed out that the other three FIRs bearing FIR no. 58/2019, under Section 323/341/34 of the IPC, registered at P.S. Roop Nagar, FIR No. 92/2019, under Sections 325/34 of the IPC and FIR No. 311/2020, under Sections 506/509 of the IPC, registered at P.S. Roop Nagar, have been quashed by a co-ordinate Bench of this Court *vide* order dated 19.02.2024 passed in CRL.M.C. 1343/2024, W.P.(CRL) 572/2024 and W.P.(CRL) 576/2024, respectively.

6. 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 Ayush, P.S. Roop Nagar.

7. 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.

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

9. 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.”

10. 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 of FIR No. 323/2021, under Sections 323/354/354(A)/509/34 of the IPC, registered at P.S. Roop Nagar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Jyoti Maheshwari, learned Metropolitan Magistrate, Central, Tis Hazari Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 323/2021, under Sections 323/354/354(A)/509/34 of the IPC, registered at P.S. Roop Nagar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Jyoti Maheshwari, learned Metropolitan Magistrate, Central, Tis Hazari Courts, Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 19, 2024/bsr