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

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Date of Decision: 01.03.2024

+ **CRL.M.C. 1778/2024**

NITESH KUMAR SINGH

..... Petitioner

Through: Ms.Reena Gupta, Ms.Prachi Goel and
Mr.Bhuwan Jayant, Advocates
alongwith petitioner through VC.

versus

STATE GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Ms. Kiran Bairwa, APP for the State
with WSI Annu, PS Hauz Khas.
Mr.Anwesh Madhukar, Ms.Prachi
Nirwan and Mr.Pranjal Shekhar,
Advocates with respondent No.2
(through VC) and respondent No.3 in
person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T

ANOOP KUMAR MENDIRATTA, J (ORAL)

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 242/2017, under Sections 506/509 IPC registered at P.S.: Hauz Khas and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondents No.2 and 3 alongwith respondent No.2 (through VC) and respondent No.3 in person appear on advance notice and accept notice.
3. In brief, present FIR was registered on the complaint of respondent



No.3 wherein he alleged that threats were received on mobile number of respondent No.2 as well as respondent No.3. On investigation, the subscriber was ascertained to be petitioner.

4. Learned counsel for the petitioner submits that the petitioner who is having clean past antecedents expresses remorse over the alleged incident which happened on account of some misunderstanding.

5. Respondent No.3, who is a practicing lawyer and is present in person, submits that on humanitarian grounds respondents No.2 and 3 have decided to forgive the petitioner, since the petitioner has claimed that his mother is suffering from cancer and he is also facing acute problems in personal life.

6. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

7. Petitioner (through VC), respondent No.3 (in-person) and respondent No. 2 (through VC) have been identified by WSI Annu, PS: Hauz Khas. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

8. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no



generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

9. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 242/2017, under Sections 506/509 IPC registered at P.S.: Hauz Khas and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MARCH 01, 2024/v