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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 837/2023**
SAMSAIR Petitioner

Through: Mr. Hari Shankar, Advocate

versus

STATE AND ANR. Respondents
Through: Mr. Sanjay Lao, Standing Counsel for
the State with SI Rajbir Singh, P.S.
Jyoti Nagar.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
26.02.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no. 564/2020, registered at Police Station Jyoti Nagar, Delhi for the offence punishable under Section 308 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Sanjay Lao, learned Standing Counsel accepts notice on behalf of the State.
3. All the petitioners are present before this Court and have been identified by their counsel Mr. Hari Shankar and Investigating Officer (IO) SI Rajbir Singh from Police Station Jyoti Nagar, Delhi.
4. Brief facts of the present case are that the police officials of P.S. Seemapuri have lodged the present FIR bearing no. 564/2020 under Section 308 of IPC at Police Station Jyoti Ngar. It is stated that with the intervention of relatives, friends better counselling and efforts made by the relatives, both



the parties have amicably settled all their disputes as they have understood that it is in the interest of their better future that they should come out of the court proceedings. It is stated that offence under Section 308 of IPC being non-compoundable in nature, there is no other efficacious remedy available to the parties except this present petition for quashing of the FIR.

5. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties *vide* Settlement Agreement dated 31.05.2022. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

6. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

7. Accordingly, FIR bearing no. 564/2020, registered at Police Station Jyoti Nagar, Delhi for the offence punishable under Section 308 of the IPC and all consequential proceedings emanating therefrom are quashed.

8. The petition stands disposed of.

9. The order be uploaded on the website forthwith.

FEBRUARY 26, 2024/zp

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any