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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
(60)+ CRL.M.C. 1899/2024

JITENDER LAL AND ORS.

..... Petitioners

Through: Mr.Abhishek Ranjan, Adv.

versus

THE STATE OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr.Shoaib Haider, APP.
ASI Narender Singh, PS Nihal
Vihar.
Mr.Lalit Sharma, Mr.B. Ghosh
& Mr.Shoaib, Advs.

(61) CRL.M.C. 1900/2024

MOHAN LAL AND ORS.

..... Petitioners

Through: Mr.Lalit Sharma, Mr.B. Ghosh
& Mr.Shoaib, Advs.

versus

THE STATE OF NCT OF DELHI AND ANR. Respondents

Through: Mr.Shoaib Haider, APP.
ASI Narender Singh, PS Nihal
Vihar.
Mr.Abhishek Ranjan, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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06.03.2024

CRL.M.A. 7270/2024 (Exemption) in CRL.M.C. 1899/2024

CRL.M.A. 7271/2024 (Exemptions) in CRL.M.C. 1900/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1899/2024 & CRL.M.A. 7325/2024

CRL.M.C. 1900/2024 & CRL.M.A. 7323/2024



2. These petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of Cross FIR(s), that is, FIR No. 1311/2023 registered at Police Station: Nihal Vihar, Outer District, Delhi under Sections 308/323/341/34 of the Indian Penal Code, 1860 (in short, 'IPC') (in CRL.M.C. 1899/2024); and FIR No. 1310/2023 registered at Police Station: Nihal Vihar, Outer District, Delhi under Sections 308/323/341/34 of the IPC (in CRL.M.C. 1900/2024), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Shoaib Haider, learned APP and learned counsels for respective respondent/complainant.

5. The petitioners and the respondent no.2 in these petitions are neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the abovementioned Cross-FIR(s).

6. The learned counsels for the parties submit that the parties have amicably settled their *inter se* disputes and have entered into a settlement, executing Settlement Deed dated 17.10.2023.

7. The respondent no.2 in both the petitions are present in person in Court and have been duly identified by the Investigating Officer (IO), and they affirm the settlement and state that they have settled all the disputes with the petitioners in the respective petitions out of their own free will and without any coercion. The respondent no.2 in their respective petitions submits that they have no objection if the present FIRs are quashed.



8. I have perused the contents of the FIRs and also the settlement between the parties.

9. Keeping in view the fact that the complainant/respondent no.2 and petitioners in their respective petitions are neighbours and they do not wish to pursue their complaint(s) any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the above mentioned Cross-FIRs as the chances of their success will be rather minuscule and it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

10. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*, (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.*, 1992 Supp (1) SCC 3, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the abovementioned Cross-FIRs and all the proceedings emanating therefrom.

11. Accordingly the petitions are allowed. FIR No. 1311/2023 registered at Police Station: Nihal Vihar, Outer District, Delhi under Sections 308/323/341/34 of the IPC and FIR No. 1310/2023 registered at Police Station: Nihal Vihar under Sections 308/323/341/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners in each of the petitions shall deposit costs of Rs.10,000/- each with the *Delhi Police Martyrs' Fund*, [Bank Name: UCO Bank, IIPA, ITO,



New Delhi, A/c No. 18200110036907] within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

MARCH 6, 2024/rv/RP

Click here to check corrigendum, if any