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

+ **W.P.(CRL) 821/2024**

JOGENDER SINGH & ANR.

..... Petitioners

Through: Mr. Rohit Gupta, Adv. with
petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya & Ms. Priyam
Aggarwal, Advocates with SI
Narendra Kumar, P.S. Mehrauli.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **12.03.2024**

CRL.M.A. 7647/2024 (Exemption)

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

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3. The present petition filed under Article 226 of Constitution of India read with under Section 482 Cr.P.C. seeks quashing of FIR No. 240/2018, under Sections 323/354/354B/451/34 of the IPC, registered at P.S. Mehrauli and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, South District, Saket Courts, Delhi.
4. Learned counsel for the petitioners submits that present dispute had arisen between the parties, who are related to each other, on account of a



passage at the place of residence.

5. During the pendency of the aforesaid proceedings, the matter has been settled, *vide* a MoU/Settlement dated 04.03.2024. The copy of the aforesaid settlement dated 04.03.2024 is on record (Annexure P-3).

6. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Narendra Kumar, P.S. Mehrauli.

7. 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. She further states that all the terms of the agreement have been complied with.

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 FIR No. 240/2018, under Sections 323/354/354B/451/34 of the IPC, registered at P.S. Mehrauli and all other



consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, South District, Saket Courts, Delhi

11. In the interest of justice, the petition is allowed, and the FIR No. 240/2018, under Sections 323/354/354B/451/34 of the IPC, registered at P.S. Mehrauli and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, South District, Saket 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 12, 2024/nk