



\$~62

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

+ CRL.M.C. 2208/2024

JOHNSON @ JETLY AND ANR.

..... Petitioners

Through: Mr. Sharun Daniel and Mr. Shivam
Deep Dwivedi, Advocates alongwith
petitioners in person.

versus

STATE OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Mamta, PS Dwarka.
Mr. Avinash Thakur, Advocate for
R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

18.03.2024

%

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 833/2015, under Sections 354B/323/506/509/34 of the IPC, registered at P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Metropolitan Magistrate, Mahila Court-02 (South-West), Dwarka Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that the matter has been settled before the Mediation Centre, Dwarka Courts, New Delhi on 31.10.2023 and in pursuance of the same cross-FIR bearing No. 832/2015 under Sections 323/509/34 of the IPC, registered at P.S. Dwarka South, at the instance of sister of petitioner no. 1 against respondent no. 2 and her husband has already been compounded *vide* order dated



20.01.2024.

3. 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 Mamta, PS Dwarka.

4. 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.

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

6. 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.”

7. 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. 833/2015, under Sections 354B/323/506/509/34 of the IPC, registered at P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Metropolitan Magistrate, Mahila Court-02 (South-West), Dwarka Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 833/2015, under Sections 354B/323/506/509/34 of the IPC, registered at



P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Metropolitan Magistrate, Mahila Court-02 (South-West), Dwarka Courts, Delhi, is hereby quashed.

9. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 18, 2024/sn