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

+ **CRL.M.C. 2265/2024**

AMIT KUMAR

..... Petitioner

Through: Mr. Rahul Rohilla, Advocate
alongwith petitioner in person.

versus

STATE OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Rahul Kumar, P.S.
Vivek Vihar.
Respondent no. 2 in person alongwith
her husband.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

19.03.2024

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CRL.M.A. 8773/2024 (Exemption)

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

CRL.M.C. 2265/2024

3. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 314/2021, under Sections 323/354/451/509 of the IPC, registered at P.S. Vivek Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Karkardooma Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioner submits that the petitioner and respondent no. 2 are related to each other as she is sister in law of the petitioner. It is further submitted that during the pendency of the



aforesaid proceedings, the parties have arrived at a Memorandum of Understanding dated 29.02.2024. In pursuance of which, respondent no. 2 has no objection if the present FIR and subsequent chargesheet are quashed.

5. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Rahul Kumar, P.S. Vivek Vihar.

6. The complainant/respondent no.2 states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed.

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

8. 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.”

9. 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. 314/2021, under Sections 323/354/451/509 of the IPC, registered at P.S. Vivek Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Karkardooma Courts, Delhi.



10. In the interest of justice, the petition is allowed, and FIR No. 314/2021, under Sections 323/354/451/509 of the IPC, registered at P.S. Vivek Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Karkardooma Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 19, 2024/bsr