



\$~70

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

+ **CRL.M.C. 2289/2024**

CHANDAN KUMAR & ORS.

..... Petitioners

Through: Mr. K.S. Choudhary, Advocate
alongwith petitioners in person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Hemant Mehla, APP for the
State.

SI Puran Singh, PS Dabri.

R-2 in person.

R-3 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.03.2024

%

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 603/2020, under Sections 323/427/452/506/34 of the IPC, registered at P.S. Dabri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that respondents no. 2 and 3 and the petitioners are related to each other. It is pointed out that respondent no. 3 is a cousin brother of the petitioners and on account of some misunderstanding that took place in their village the present FIR was registered at the instance of respondent no. 2. It is further submitted that during the pendency of the aforesaid proceedings parties have entered into a memorandum of understanding dated 07.03.2024, in pursuance of



which respondents no. 2 and 3 have no objection if the present FIR is quashed against the petitioners (Annexure D).

3. Petitioners and complainant/respondent no. 2 is present before the Court and complainant/respondent no. 3 is present through video conferencing and have been duly identified by the Investigating Officer, SI Puran Singh, PS Dabri.

4. The complainant/respondent No.2 and 3 state that the matter has been settled with the petitioners and they have 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. 603/2020, under Sections 323/427/452/506/34 of the IPC, registered at P.S. Dabri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, Delhi.



8. In the interest of justice, the petition is allowed, and the FIR No. 603/2020, under Sections 323/427/452/506/34 of the IPC, registered at P.S. Dabri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, Delhi, is hereby quashed, subject to the petitioners depositing cost of Rs. 5,000/- each, i.e., consolidated amount of Rs. 15,000/-, to Delhi High Court Bar Association Employees Welfare Fund, within a period of 10 days from today.

9. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 20, 2024/sn