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

+ **W.P.(CRL) 1070/2024**

DEEPANSHU & ORS

..... Petitioners

Through: Mr. Pawan Kumar Sharma, Advocate
alongwith petitioners in person.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for
the State with Mr. Alok Sharma, Mr.
Vasu Agarwal, Mr. Lalit Kumar &
Ms. Anjali, Advocates.
ASI Jagdish Dhaka, P.S. Karawal
Nagar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.04.2024

CRL.M.A. 10053/2024 (Exemption)

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

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3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 163/2021, under Sections 354D/506/509/323/34 of the IPC, registered at P.S. Karawal Nagar.
4. Learned counsel appearing on behalf of the petitioners submits that the present FIR was registered at the instance of respondent no. 2 on account of a tragic dispute between the parties. It is further submitted that during the



investigation of the aforesaid FIR, the matter has been resolved *vide* Memorandum of Understanding/settlement deed dated 03.02.2024 (Annexure P-2). In pursuance of which, respondent no. 2, who is supposed to be an official of Delhi Police, has no objection if the present FIR is quashed.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, ASI Jagdish Dhaka, P.S. Karawal Nagar.

6. 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.

7. Learned Additional Standing Counsel for the State submits that investigation in the present case FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned ASC for the State also has no objection if the present FIR is quashed, subject to imposition of cost.

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. 163/2021, under Sections 354D/506/509/323/34 of the IPC, registered at P.S. Karawal Nagar..

10. In the interest of justice, the petition is allowed, and the FIR No. 163/2021, under Sections 354D/506/509/323/34 of the IPC, registered at P.S. Karawal Nagar., is hereby quashed, subject to a cost of Rs. 10,000/- each to be deposited by the petitioners as a consolidated sum of Rs. 40,000/- with Delhi State Legal Services Authority [Account No. 18580110053263 and IFSC Code: UCBA0003364], within a period 07 working days. The amount so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 03, 2024/bsr

[Click here to check corrigendum, if any](#)