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

+ **CRL.M.C. 2809/2024**

NARESH KUMAR

..... Petitioner

Through: Mr. Gulshan Kumar Sharma,
Advocate alongwith petitioner in
person.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with W/SI Sanju, P.S. North
Rohini.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **08.04.2024**

CRL.M.A. 10678/2024 (Exemption)

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

CRL.M.C. 2809/2024

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 338/2011, under Section 354 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, learned Metropolitan Magistrate, Mahila Court (North), Rohini Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioner submits that the



latter and respondent no. 2 are residents of the same neighbourhood and on account of some misunderstanding, the present FIR was registered. It is further submitted that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement before the Delhi Mediation Centre, Rohini District Courts, Delhi *vide* settlement/agreement dated 31.01.2019 (Annexure-C). In pursuance thereof, 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, W/SI Sanju, P.S. North Rohini.

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

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. 338/2011, under Section 354 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, learned Metropolitan Magistrate, Mahila Court (North), Rohini Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 338/2011, under Section 354 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, learned Metropolitan Magistrate, Mahila Court (North), Rohini 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

APRIL 08, 2024/bsr

Click here to check corrigendum, if any