



\$~43

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

+ **CRL.M.C. 2952/2024**

**ANIKET @ ASHUTOSH DHIMAN**

..... Petitioner

Through: Mr.Aakash Gupta, Adv. with  
petitioner

versus

**STATE (NCT OF DELHI) & ANR.**

..... Respondents

Through: Mr.Satinder Singh Bawa, APP  
with Si Loveleen.

Respondent no.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

%

**15.04.2024**

**CRL.M.A. 11300/2024 (Exemption)**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 2952/2024 & CRL.M.A. 11299/2024**

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0177/2016 registered at Police Station: Moti Nagar, West District, Delhi, under Sections 354/354(D)/506 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, based on a settlement.

3. Issue Notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP and by respondent no.2, who is present in person.

5. The learned counsel for the petitioner submits that the petitioner



and the respondent no. 2 are the neighbours and disputes arose between the parties due to some misunderstanding.

6. He submits that the parties, that is, the petitioner and the respondent no.2, have amicably settled their *inter se* disputes and executed a Settlement Deed / Memorandum of Understanding dated 03.04.2024.

7. The complainant/respondent no.2 has also filed her affidavit giving her no objections for quashing of the abovementioned FIR.

8. The respondent no.2, who is personally present in Court and has been duly identified by the Investigating Officer (IO), does not oppose the present petition and she joins in the prayer of the petitioner that the FIR and the proceedings consequent thereto be quashed. She submits that she is making this statement out of her own free will and without any coercion.

9. I have perused the contents of the FIR, Charge Sheet and also the settlement arrived at between the parties.

10. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. Guided by the principles enunciated by the Supreme Court in its judgments in ***Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*** (2017) 9 SCC 641 and ***State of***



***Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

12. Keeping in view the above, the present petition is allowed. Consequently, FIR No.0177/2016 registered at Police Station: Moti Nagar, West District, Delhi, under Sections 354/354(D)/506 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the petitioner depositing costs of Rs.50,000/- with the “NAB India Centre for Blind Women & Disability Studies”, RBL Bank Limited, Barakhamba, New Delhi, Account No.1150350, IFSC-RATN0000100, within a period of four weeks from today, and filing proof thereof with the Registry of this Court and supplying a copy thereof to the IO, within the said period.

**NAVIN CHAWLA, J**

**APRIL 15, 2024/Arya/ss**

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