



\$~70

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

+ **CRL.M.C. 3163/2024**

PRIYA & ORS.

..... Petitioners

Through: Mr. Udai Raj Singh, Advocate
alongwith petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Hemant Mehla, APP for the State
with W/SI Mukesh, P.S. R.K. Puram.
Mr. Harsh Basoya & Mr. Vikrant
Sharma, Advocates for R-2 alongwith
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

26.04.2024

CRL.M.A. 12225/2024 (Exemption)

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

CRL.M.C. 3163/2024

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 699/2015, under Sections 323/324/341/506/34 of the IPC, was registered at P.S R.K. Puram and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Priya, learned Metropolitan Magistrate, Patiala House Courts, Delhi.
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 misunderstanding relating to construction of property. It is submitted that as a result of the said dispute, a cross-FIR, i.e., FIR No. 1061/2015, under Sections 457/380 of the IPC, registered at P.S. R.K. Puram, at the instance of petitioner no. 2 herein against the respondent no. 2.

5. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 07.02.2024, before Delhi Mediation Centre, Patiala House Courts, Delhi, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR, i.e FIR No. 1061/2015, under Sections 457/380 of the IPC, registered at P.S. R.K. Puram is the subject matter of CRL.M.C. 3134/2024, which is being disposed of by a separate order of the even date.

6. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, W/SI Mukesh, P.S. R.K. Puram.

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

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

9. 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.”

10. 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. 699/2015, under Sections 323/324/341/506/304 of the IPC, registered at P.S. R.K. Puram and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Priya, learned Metropolitan Magistrate, Patiala House Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 699/2015, under Sections 323/324/341/506/34 of the IPC, registered at P.S. R.K. Puram and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Priya, learned Metropolitan Magistrate, Patiala House Courts, Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 26, 2024/bsr

Click here to check corrigendum, if any