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

+ CRL.M.C. 3170/2024

DEEPAK BANIYA

..... Petitioner

Through: Mr. R.S. Mishra, Mr. Anand Mishra,
Ms. Deepti Mishra, Ms. Stuti Joshi,
Advts. with petitioner in person.

versus

THE STATE GNCT OF DELHI AND ANR

..... Respondents

Through: Mr. Hemant Mehla, APP for the State
with Ms. Mridul Sharma, Advocate
alongwith SI Dharmender & WSI
Divya Gahlot, P.S. Kishan Garh.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

14.05.2024

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1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 202/2019, under Sections 354/354A IPC, registered at P.S. Kishan Garh, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Akanksha Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that latter and respondent no.2 were residing in the same vicinity and on account of miscommunication, the present FIR was registered.
3. During the pendency of the aforesaid proceedings, the parties have settled their disputes. Respondent no.2 confirms the same *vide* Compromise cum NOC in February, 2024 (Annexure-C) ,and submits that she has no objection if the FIR and the consequential chargesheet is quashed.



4. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Dharmender & WSI Divya Gahlot, P.S. Kishan Garh.

5. 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.

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

7. 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.”

8. 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. 202/2019, under Sections 354/354A IPC, registered at P.S. Kishan Garh, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Akanksha Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 202/2019, under Sections 354/354A IPC, registered at P.S. Kishan Garh, and all other consequential proceedings emanating therefrom, including the



chargesheet pending before the court of Ms. Akanksha Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi, is hereby quashed.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 14, 2024/nk

Click here to check corrigendum, if any