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

+ **CRL.M.C. 3239/2024**

DEEPAK

..... Petitioner

Through: Mr. Nasimuddin & Mr. Mohd.
Shoaib, Advocates alongwith petitioner
in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI Anil Kumar, P.S. Harsh
Vihar.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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26.04.2024

CRL.M.A. 12494/2024 (Exemption)

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

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3. The present petition under Section 482 Cr.P.C. seeks quashing of FIR No. 475/2015, under Sections 392/411 of the IPC, registered at P.S. Harsh Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Mr. Dev Chaudhary, learned Metropolitan Magistrate, Shahdara, Karkardooma Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings, the latter has



compromised the matter with the complainant *vide* compromise deed dated 21.02.2024. Pursuant to which, 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, SI Anil Kumar, P.S. Harsh Vihar.

6. In terms of the said settlement, an amount of Rs. 15,000/-in cash has been paid to respondent no. 2 in Court today, who acknowledges the receipt of the same.

7. The Complainant/respondent No.2 states that the matter has been settled with the petitioners out of her own free will and without any fear, threat, undue influence or coercion from any person. It is further submitted that she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the settlement 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, 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 proceedings.”



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. 475/2015, under Sections 392/411 of the IPC, registered at P.S. Harsh Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Mr. Dev Chaudhary, learned Metropolitan Magistrate, Shahdara, Karkardooma Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 475/2015, under Sections 392/411 of the IPC, registered at P.S. Harsh Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Mr. Dev Chaudhary, learned Metropolitan Magistrate, Shahdara, Karkardooma 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