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

+ **CRL.M.C. 3304/2024**

RAMESH DABAS AND ORS

..... Petitioners

Through: Mr. Ajay Sharma, Adv. with
petitioners in person.

versus

THE STATE NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Sanju, P.S. North
Rohini, (original IO) & SI Sandeep,
P.S. Kanjhawala.
Mr. Vipul Kumar, Adv. for
respondents with R-2 to 5 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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29.04.2024

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 571/2021 under Sections 323/341/354/354B/451/506/34 of the IPC, registered at P.S. Kanjhawala, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kanika Jain, learned Metropolitan Magistrate, Mahila Court, Rohini Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that the latter and respondent no. 2 to 5 are neighbours and a dispute on account of making drain arose among them. It is submitted that as a result of the said



dispute a cross-FIR bearing No. 570/2021, under Sections 354/354B/506/34 of the IPC, was registered at P.S. Kanjhawala, at the instance of petitioner no. 2 herein against respondent no. 2 to 5.

3. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 02.01.2024, pursuant to which parties have no objection to quashing of the cross FIRs. The cross-FIR i.e, No. 570/2021, under Sections 354/354B/506/34 of the IPC, registered at P.S. Kanjhawala, subject matter of CRL.M.C. 3290/2024, is being disposed of by a separate order of even date. A copy of the aforesaid settlement deed has been placed on record as Annexure-B.

4. Petitioners and complainant/respondent no. 2 and respondent no. 3 to 5 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Vijay Dahiya, PS Prashant Vihar.

5. 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.

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

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 the FIR No. 571/2021 under Sections 323/341/354/354B/451/506/34 of the IPC, registered at P.S. Kanjhawala, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kanika Jain, learned Metropolitan Magistrate, Mahila Court, Rohini Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 571/2021 under Sections 323/341/354/354B/451/506/34 of the IPC, registered at P.S. Kanjhawala, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Kanika Jain, learned Metropolitan Magistrate, Mahila Court, Rohini 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

APRIL 29, 2024/nk

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