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

+ **W.P.(CRL) 1298/2024**

ANKUSH SHARMA Petitioner
Through: Mr. Lakshay Mangla, Adv.
Petitioner in person.

versus

THE STATE (GOVT. OF NCT OF DELHI)
& ANR. Respondents
Through: Ms. Rupali Bandhopadhyaya,
ASC for the State with Mr.
Abhijeet Kumar, Adv.
with SI Manish Kumar, PS
North Rohini.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
29.04.2024

**CRL.M.A. 12676/2024 (exemption from filing the originals /
certified copies of the annexures)**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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1. The present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No. 189/2023 dated 17.03.2023, for offences under Sections 509/506 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station North Rohini, including all consequential proceedings arising therefrom. The said FIR was registered on a complaint filed by Respondent No. 2.

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2. The learned counsel for the petitioner submits that the FIR was registered pursuant to a minor altercation which happened due to the parking space. He submits that the petitioner had gone to visit his uncle's place in Rohini and the complainant is the neighbour of his uncle. He submits that certain argument took place when the petitioner tried to park his vehicle in front of the complainant's house.

3. He submits that the parties have since settled their dispute of their own accord and free will and without any inducement, compulsion, force, fraud, pressure, undue influence, coercion or misrepresentation.

4. The parties are present before this Court in person and have been duly identified by the Investigating Officer.

5. The complainant / Respondent No. 2 states that she does not wish to pursue any proceedings arising out of the present FIR. She states that the petitioner has apologized for his behaviour and she has no grievance against the petitioner. She states that the petitioner has also undertaken not to misbehave and commit any such act in future.

6. The petitioner also states that he has realized his mistake and undertakes not to indulge into any such activity in future.

7. The petitioner is bound down to the said undertaking.

8. The learned Additional Standing Counsel for the State submits that since the dispute arose out of the parking dispute, she does not have any objection if the present FIR is quashed but since the State machinery has been put to motion and the chargesheet has already been filed, she requests that an appropriate cost be imposed on the petitioner.

9. Offences under Sections 506 and 509 of the IPC are compoundable in nature.



10. No useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.

11. However, keeping in mind the fact that the charge sheet has already been filed in the case arising out of FIR No. 189/2023, and the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.

12. In view of the above, FIR No. 189/2023 and all consequential proceedings arising therefrom are quashed, subject to payment of cost of ₹10,000/- (Rupees Ten Thousand only) by the petitioner, to be deposited with the Delhi Police Welfare Fund.

13. The petitioner is directed to provide a copy of the receipt of deposit of cost with the concerned Investigating Officer.

14. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

APRIL 29, 2024
'KD'