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

+ **CRL.M.C. 3410/2024**

HARIKANT TRIPATHI & ANR.

..... Petitioners

Through: Mr. Rohit Tripathi, Advocate
alongwith petitioners in person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Sanjay & SI Mahesh
Chand, P.S. Badarpur.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **01.05.2024**

CRL.M.A. 13093/2024 (Exemption)

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

CRL.M.C. 3410/2024

3. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 231/2015, under Sections 354/323/509/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Anam Rais Khan, learned Metropolitan Magistrate, Mahila Court (South-East), Saket Courts, Delhi.



4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the present proceedings, the latter and respondent no. 2 have arrived at a settlement vide settlement deed dated 09.04.2024. In pursuance of which, respondent no. 2 has no objection if the present FIR and subsequent chargesheet are quashed.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officers, SI Sanjay & SI Mahesh Chand, P.S. Badarpur.

6. 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.

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

8. 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.”

9. 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. 231/2015, under Sections 354/323/509/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet



pending before the Court of Ms. Anam Rais Khan, learned Metropolitan Magistrate, Mahila Court (South-East), Saket Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 231/2015, under Sections 354/323/509/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Anam Rais Khan, learned Metropolitan Magistrate, Mahila Court (South-East), Saket Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 01, 2024/bsr

Click here to check corrigendum, if any