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

+ CRL.M.C. 2932/2022

SH MOHANAN B & ORS.

..... Petitioners

Through: Mr.Gigi C.George, Mr.Dheeraj
Singh, Advs.

versus

GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Shoaib Haider, APP with
Mr.Damandeep, Adv.
Mr.Kunal, Adv. for the
complainant along with
complainant in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

16.05.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of proceedings pending before the learned Additional Sessions Judge, South Distt., Saket Court, Saket, New Delhi in Case No.89/1/2013 for offence under Sections 323/448 of the Indian Penal Code, 1860 (in short, 'IPC'), and Section 3(1) (v) and Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 along with all other proceedings arising therefrom, on the basis of settlement.
2. The petitioners and the respondent no.2 are the neighbours and the disputes arose out of some petty issues between them, which led to the filing of the above FIR.



3. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Compromise dated 22.02.2020 before the Mediation Cell, Saket Courts, Saket.
4. The respondent no.2/complainant, who is present in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.
5. I have perused the contents of the FIR and also the settlement between parties.
6. Keeping in view the fact that parties are neighbours and the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.
7. Guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*** (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its



inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. The above mentioned case number and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 16, 2024
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