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

+ CRL.M.C. 3538/2024

BRAHM PRAKASH

..... Petitioner

Through: Mr.Vimal Duggal, Adv. with
petitioner

versus

THE STATE GOVT. OF N.C.T OF DELHI Respondent

Through: Mr. Shoaib Haider, APP with
SI Karishma Kanwal.

Mr.Abhinav Sharma, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

22.05.2024

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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 FIR No.0301/2018 registered at Police Station: Dwarka South, Delhi, under Section 354/323/506/509 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, based on a settlement.

2. The learned counsel for the petitioners submits that both the petitioner and the respondent no.2 are known to each other and the subject FIR has been registered as a result of some misunderstanding between the petitioner and the respondent no.2.

3. It is stated that the petitioner and the respondent no.2, have amicably settled their *inter se* disputes and have executed a Memorandum of Understanding dated 11.03.2024. The respondent no.2



has, further, filed her affidavit affirming the above-mentioned settlement and giving her no-objection for quashing of the abovementioned FIR.

4. The respondent no.2, who is personally present in Court and has been duly identified by the Investigating Officer (IO), does not oppose the present petition; she joins in the prayer of the petitioner, and states that she does not have any objection if the FIR and the proceedings emanating therefrom are quashed. She submits that she is making this statement out of her own free will and without any coercion.

5. I have perused the contents of the FIR and also the settlement arrived at between the parties.

6. Keeping in view the fact that 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 it would 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 present petition is allowed. FIR No.0301/2018 registered at Police Station: Dwarka South, Delhi, under Section



354/323/506/509 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.20,000/- with the “*Samarpan Children’s Home*” [Samarpan Foundation, A-13, Ground Floor, Friends Colony East, New Delhi-110065, HDFC Bank, Current Account No.06171450000031, Branch-Jor Bagh Market, New Delhi-110003, RTGS/NEFT ISFC: HDFC0000617, MICR:110240103] within a period of four weeks from today, and file the proof of such deposit with the Registry of this Court and supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

MAY 22, 2024/Arya/ss

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