



\$~61

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

+ **CRL.M.C. 3571/2024**

**YASHIKA SHARMA & ANR.**

..... Petitioner

Through: Mr. Rakesh Sharma, Advocate  
alongwith petitioners in person.

versus

**STATE THROUGH SHO PS MAHENDER PARK AND ANR**

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for  
the State with Insp. Harkesh & SI  
Rajesh, P.S. Mahendra Park.  
SI Sandeep Kumar, P.S. Bindapur.  
Respondent no. 2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

% **06.05.2024**

**CRL.M.A. 13713/2024 (Exemption)**

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

**CRL.M.C. 3571/2024**

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 565/2018, under Sections 507/509/34 of the IPC, registered at P.S. Mahendra Park and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Niharika Kumar Sharma, learned Additional Chief Metropolitan Magistrate, North, Rohini Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the aforesaid proceedings, a Memorandum of



Understanding/Settlement dated 20.04.2024 has been arrived between the latter and respondent 2. It is pointed out that in pursuance of the said MoU, a cross-FIR, i.e., FIR No. 1070/2018, under Sections 506/509/34 of the IPC, at P.S. Bindapur registered against respondent no. 2 at the instance of petitioner no. 1 herein, has since been compounded *vide* order dated 20.04.2024, passed by Ms. Diksha Sethi, learned Metropolitan Magistrate, Dwarka Courts, Delhi.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officers, Insp. Harkesh & SI Rajesh, P.S. Mahendra Park.

6. The complainant/respondent no.2 does not dispute the aforesaid position and submits that the cross-FIR has been compounded and she has no objection if the present FIR and the subsequent chargesheet are 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. 565/2018, under Sections 507/509/34 of the IPC, registered at P.S. Mahendra Park and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Niharika Kumar Sharma, learned Additional Chief Metropolitan Magistrate, North, Rohini Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 565/2018, under Sections 507/509/34 of the IPC, registered at P.S. Mahendra Park and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Niharika Kumar Sharma, learned Additional Chief Metropolitan Magistrate, North, Rohini 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 6, 2024/bsr**

*Click here to check corrigendum, if any*