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

+ **CRL.M.C. 3581/2024**

SATPAL & ORS.

..... Petitioners

Through: Mr.K.P.Singh, Adv. with
petitioners.

versus

THE STATE (GOVT. OF NCT OF DELHI) AND ORS

..... Respondents

Through: Mr. Shoaib Haider, APP.
Mr.Pradeep Kumar Sharma and
Ms.Kusumlata, Adv. for R-2 to
5 with R-2 to 5 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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06.05.2024

CRL.M.A. 13747/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3581/2024

2. 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.515/2016 registered at Police Station: Madhu Vihar, Delhi, under Sections 323/341/201/326B/354A of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, based on a settlement.

3. Issue Notice.

4. Notice is accepted by Mr.Shoaib Haider, learned APP, on behalf of the respondent no. 1, and by Mr.Pradeep Kumar Sharma, Advocate on behalf of the respondent nos.2 to 5.



5. The learned counsel for the petitioners submits that the petitioners and the respondents are neighbours and due to petty issues of garbage being kept outside their houses, there were a fight between two groups, that is, the petitioners and the respondent nos.2 to 5 in which, a lady named Ms.Pooja came out holding a bottle of acid in her hand. She threw the same on the face of the respondent no.2, because of which his right eye got injured. Unfortunately, the said lady, Ms.Pooja has since passed away on 13.05.2021.

6. The parties have thereafter entered into an amicable settlement and have executed a Settlement Deed dated 02.03.2024. It is stated that the cross FIR, that is, FIR No.514/2016 under Sections 323/341/506/34 of the IPC registered at Police Station: Madhu Vihar, Delhi has also been compounded by the respondents.

7. I have perused the contents of the FIR, the settlement and also have interacted with the parties.

8. As the parties are neighbours and fight arose due to petty issues; it is not stated that the petitioners have any criminal antecedents; and taking into account that the main accused namely Ms.Pooja has since passed away, in my view no useful purpose shall be served in continuing with the proceedings of the present FIR as it would lay an unnecessary burden on the State exchequer and cause further pain and anguish to the parties.

9. 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 and in the peculiar facts of the present case, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

10. Accordingly, the petition is allowed. FIR No.515/2016 registered at Police Station: Madhu Vihar, Delhi, under Sections 323/341/201/326B/354A of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that each of the petitioners shall deposit costs of Rs.15,000/, with The Delhi State Legal Services Authority within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

MAY 6, 2024/Arya/am

Click here to check corrigendum, if any