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

+ **CRL.M.C. 3615/2024**

NAVEEN CHAUDHARY AND ORS

..... Petitioners

Through: Mr. Nalin Kaushik, Mr. Lakshay
Kumar, Advocates.

versus

THE STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with Insp. Pawan, S.I. Ritu,
P.S. North Rohini.
Mr. Sachin Bansal, Mr. Surender
Nandal, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

24.05.2024

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1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 223/2016, under Sections 323/354/354A(1)/509/506/34 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu, learned Metropolitan Magistrate, Mahila Court, Rohini, Delhi.
2. Learned counsel appearing on behalf of the petitioners submitted the present FIR was registered on account of a parking dispute. It is further submitted that as a result of the said dispute, a cross-FIR, i.e., FIR No. 222/2016, under Sections 323/354/354A(1)/509/506/34 of the IPC, was registered at P.S. North Rohini, at the instance petitioner no. 1 herein, against the son of respondent no. 2.



3. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 28.03.2024, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR No. 222/2016, under Sections 323/354/354A(1)/354B/509 of the IPC, registered at P.S. North Rohini is the subject matter of CRL.M.C. 3604/2024 which is being disposed of by a separate order of the even date.

4. Petitioners and respondent no. 2/complainant are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Ritu, PS North Rohini. It is pointed out that the affidavit, dated 28.03.2024, of respondent no. 2 have also been placed on record whereby she has given no objection to the quashing of the present FIR and stated that she has entered into settlement with the petitioners out of her free will and without any coercion, undue influence or threat from any person.

5. Respondent No. 2/complainant states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed.

6. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed subject to imposition of cost.

7. 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.”

8. 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 FIR No. 223/2016, under Sections 323/354/354A(1)/509/506/34 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu, learned Metropolitan Magistrate, Mahila Court, Rohini, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 223/2016, under Sections 323/354/354A(1)/509/506/34 of the IPC, registered at P.S. North Rohini and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu, learned Metropolitan Magistrate, Mahila Court, Rohini, Delhi, is hereby quashed, subject to payment of cost of Rs. 25,000/- to be deposited by each petitioner, as a consolidated sum of Rs. 50,000/-, with the New Delhi Bar Association Members Welfare Fund Account No. 18580110013847 within a period of seven working days from today.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 24, 2024/ab

Click here to check corrigendum, if any