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

+ **W.P.(CRL) 1482/2024 & CRL.M.A. 14501/2024 (Exemption)**

PANKAJ ARYA AND ORS

..... Petitioners

Through: Mr. Swapnil A., Advocate alongwith
petitioners in person.

versus

STATE AND ORS

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(criminal) for the State with Mr.
Priyam Aggarwal, Mr. Abhinav
Kumar Arya and Mr. Shivesh
Kaushik, Advocates.
WSI Soni Kumar, PS Farsh Bazar.
Mr. Akshat Gupta and Mr. Siddharth
Chaudhary, Advocates for R-2 to 5
alongwith R-2 to 5 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

10.05.2024

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1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 458/2023, under Sections 452/323/324/354B/509/506/34 of the IPC, registered at P.S. Farsh Bazar.
2. Learned counsel appearing on behalf of the petitioners submits that the petitioners and respondents no. 2 to 5 are residents of the same society and the present FIR was registered on account of minor dispute between the parties. It is submitted that as a result of the said dispute, a cross-FIR, i.e., FIR No. 513/2023, under Sections 354/354A/323/34 of the IPC, was registered at PS Farsh Bazar, at the instance of petitioner no. 4 herein against



the respondents.

3. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 19.03.2024, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR, i.e, 513/2023, under Sections 354/354A/323/34 of the IPC, registered at PS Farsh Bazar is the subject matter of CRL.M.C. 1476/2024, which is being disposed of by a separate order of the same date.

4. Petitioners and respondents no. 2 to 5 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, WSI Soni Kumar, PS Farsh Bazar.

5. Respondents No.2 to 5 states that the matter has been settled with the petitioners and they have no objection if the FIR is quashed.

6. Learned Standing Counsel for the State submits that investigation in the present FIR is not complete and chargesheet has not been filed. In view of the settlement between the parties, the learned Standing Counsel 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 present FIR No. 458/2023, under Sections 452/323/324/354B/509/506/34 of the IPC, registered at P.S. Farsh Bazar.

9. In the interest of justice, the petition is allowed, and the FIR No. 458/2023, under Sections 452/323/324/354B/509/506/34 of the IPC, registered at P.S. Farsh Bazar, is hereby quashed, subject to payment of consolidated cost of Rs.50,000/- to be deposited by petitioners with DHCBA Employees Welfare Fund within a period of one week from today.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 10, 2024/sn

Click here to check corrigendum, if any