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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4065/2024

KESHAR

..... Petitioner

Through: Mr.Suraj Prakash Sharma, Adv.
along with the petitioner
present through VC.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Bharti Singh & SI Deepak,
PS Burari.
Respondent/complainant
present through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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28.05.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No.0900/2021 registered at Police Station: Burari, North-District, Delhi under Sections 323/354/354B/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The learned counsel for the petitioner submits that the parties are neighbours and well-known to each other. He submits that the disputes arose out of some misunderstandings and petty issues between the parties.
3. He submits that the parties have now amicably settled their *inter*



se disputes vide Memorandum of Understanding dated 16.02.2024.

4. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). She reaffirms the settlement and states that as far as the petitioner is concerned, she does not wish to pursue her complaint any further. In fact, she had named the petitioner because of a misunderstanding. It is also stated by the respondent no.2 that the petitioner has shifted his residence. The respondent no.2 submits that she has no objection if the present FIR is quashed.

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

6. Keeping in view the fact that the parties are neighbours and 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 ***Kapil Gupta v. State (NCT of Delhi)***, 2022 SCC OnLine SC 1030; ***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 petition is allowed. FIR No.0900/2021 registered at Police Station: Burari, North-District, Delhi under Sections 323/354/354B/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed. This order shall have no effect on the criminal case that is filed against the other accused.

NAVIN CHAWLA, J

MAY 28, 2024/rv/ss

Click here to check corrigendum, if any