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

+ **CRL.M.C. 4116/2024**

RAHUL AND ANR

..... Petitioners

Through: Mr. Robin Chaudhary,
Advocate alongwith
Petitioner nos. 1 & 2-in-
Person.

versus

STATE OF NCT OF DELHI AND ANR Respondents

Through: Mr. Satinder Singh Bawa,
APP for the State
alongwith SI Sanjeev
Lehri (P.S. Burari).
Respondent No.2/Kusum
Lata-in-Person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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20.05.2024

CRL.M.A. 15651/2024 (*exemption from filing certified copies of the annexures*)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No. 596/2015 dated 16.05.2015, registered at Police Station Burari, for offences under Sections 323/34/341/506 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered on a

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complaint filed by Respondent No. 2. Chargesheet has been filed in the present case.

4. It is averred that a scuffle took place between the petitioners and Respondent No.2 due to some misunderstanding and miscommunication which led to the filing of the present FIR.

5. The present petition has been filed on the ground that the parties have amicably settled all their disputes before Mediation Centre, Tis Hazari Courts, Delhi, by way of Mediation Settlement dated 07.11.2022, of their own free will, without any coercion, pressure, or threat.

6. The parties are present in person in Court and have been duly identified by the Investigating Officer.

7. The accused persons are present and have tendered an unconditional apology for their behaviour and have undertaken not to indulge into any such activity in future.

8. The complainant is present in person and submits that the parties, being neighbours have decided to settle the matter in order to live peacefully in future.

9. On being asked, the complainant states that she has no grievance against the petitioner and does not want to pursue any proceeding arising out of the present FIR and has no objection if the same is quashed.

10. Offence under Sections 323/341/506 of the IPC are compoundable.

11. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the opinion that this is a fit case to
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exercise discretionary jurisdiction under Section 482 of the CrPC.

12. However, keeping in mind the fact that charges have already been framed in the case arising out of FIR No. 596/2015, and the State machinery has been put to motion, this Court feels that the ends of justice would be served if the petitioners are put to cost.

13. In view of the above, FIR No. 596/2015 and all consequential proceedings arising therefrom are quashed, subject to payment of a total cost of ₹10,000/- by the petitioners, to be deposited with the Delhi High Court Bar Association within a period of six weeks from date.

14. The petitioners are directed to provide a copy of the receipt of deposit of cost with the concerned Investigating Officer.

15. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MAY 20, 2024

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