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

+ CRL.M.C. 4142/2024 & CRL.M.A. 15727/2024 (Exemption)

PAPPU HASAN

..... Petitioner

Through: Ms. Sushma, Adv. with petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the State with Ms. Mridul Sharma, Adv.
Insp. Rajiv Kumar, P.S. Adarsh Nagar.
Ms. Megha, Adv. For R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.05.2024

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1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 173/2015, under Sections 509 IPC and Sections 66, 67A of the IT Act, registered at P.S. Adarsh Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Nidhi Chitkara, learned Metropolitan Magistrate, Rohini Courts, Delhi.
2. During the pendency of the aforesaid proceedings, the parties have entered into a settlement *vide* MOU dated 03.04.2024.



3. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer Insp. Rajiv Kumar, P.S. Adarsh Nagar.

4. A demand draft bearing no. 553972 dated 03.04.2024 for Rs. 1,00,000/- drawn on Bank of Baroda, has been handed over to the complainant/respondent No.2, who acknowledges the receipt of the same.

5. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

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

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. 173/2015, under Sections 509 IPC and Sections 66, 67A of the IT Act, registered at P.S. Adarsh Nagar, Delhi and all other consequential proceedings emanating therefrom, including the



chargesheet pending before the court of Ms. Nidhi Chitkara, learned Metropolitan Magistrate, Rohini Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 173/2015, under Sections 509 IPC and Sections 66, 67A of the IT Act, registered at P.S. Adarsh Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Nidhi Chitkara, learned Metropolitan Magistrate, Rohini Courts, Delhi, is hereby quashed subject to the petitioner depositing Rs. 15,000/- with Delhi High Court Bar Association Employees Welfare Fund within seven days.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 21, 2024/nk

Click here to check corrigendum, if any