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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4179/2024**
MR AMIT KUMAR & ANR.

..... Petitioners

Through: Mr.Sandeep Mishra, Mr.Surbhit
Nandan, Mr.Dhruv Gandotra &
Mr.Vivek Jaiswal, Adv.
Petitioners present in person.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Aman Usman, APP.
SI Dharmveer, PS Chhawla.
Respondent no.2 present
through VC.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **21.05.2024**
CRL.M.A. 15858/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4179/2024 & CRL.M.A. 15857/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the Criminal Case being Cr. Case No.422760/2016 titled *State v. Amit Kumar* pending adjudication before the learned Metropolitan Magistrate, Dwarka District Courts, New Delhi arising out of the FIR No. 320/2013 registered at Police Station: Chhawala, Delhi under Sections 354-D/354/506/323 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis



of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Aman Usman, learned APP for the State.

5. The learned counsel for the petitioners submits that the parties are neighbours and the disputes arose out of some misunderstandings and petty issues between the parties. He submits that the parties have now amicably settled their *inter se* disputes and have entered into a Memorandum of Understanding dated 09.04.2024.

6. The respondent no.2 is present in Court through VC and has been duly identified by the Investigating Officer (IO). She reaffirms the settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

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

8. Keeping in view the fact that the parties are neighbours and that 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.

9. Guided by the principles enunciated by the Supreme Court in its judgments in ***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.

10. Accordingly, the petition is allowed. Consequently, FIR No. 320/2013 registered at Police Station: Chhawala, Delhi under Sections 354D/354/506/323 of the IPC and all consequential proceedings emanating therefrom, including the abovementioned Criminal Case, against the petitioners are quashed, subject to the condition that the petitioner no.1 shall assist the Traffic Police in the management of traffic at a traffic signal where he may be deputed by the Deputy Commissioner of Police (Traffic), Dwarka, for eight Sundays. He shall report to the DCP (Traffic), Dwarka for rendering the abovementioned assistance at a traffic signal assigned to him by the said DCP. At the end of the aforesaid period, the DCP (Traffic) shall issue a certificate to the petitioner no.1, which the petitioner no.1 shall file before the Registry of this Court within a period of two months thereafter and also give a copy thereof to the IO. If such a certificate is not filed, the Registry shall place this matter before this Court for further directions.

11. The pending application is also disposed of as infructuos.

NAVIN CHAWLA, J

MAY 21, 2024/rv/AS

Click here to check corrigendum, if any