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

+ CRL.M.C. 3825/2022
ASHOK SINGH & ORS.

..... Petitioners
Through: Ms.Divya Sharma and
Mr.Sourabh Pandey, Advs.
along with petitioners in person.

versus

STATE GOVT OF NCT OF DELHI & ORS.

..... Respondent
Through: Ms.Priyanka Dalal, APP with
SI Amit Beniwal
Mr.Prakhyat Sharma and
Ms.Prachi Sharma, Advs. along
with respondents in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
12.02.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 164/2016 registered at Police Station: Vivek Vihar, East District, Delhi under Sections 323/451/354B/427/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.

2. The petitioners and the respondent nos.2 to 5 are next-door neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the subject FIR.



3. The learned counsel for the petitioners submits that the parties, that is, the petitioners and the respondent nos.2 to 5 have amicably settled their *inter se* disputes and have entered into a Settlement Deed/Memorandum of Understanding dated 11.03.2022.

4. The respondent nos.2 to 5, who are present in Court and have been duly identified by the Investigating Officer (IO), reaffirm the settlement and state that they have settled all the disputes with the petitioners of their own free will and without any coercion. The respondent nos.2 to 5 submit that they have 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 parties are neighbours and the respondent nos.2 to 5 do not wish to pursue their 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 the chances of its success will be rather minuscule and it would rather 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 *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 3, 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. 164/2016 registered at Police Station: Vivek Vihar, East District, Delhi under Sections 323/451/354B/427/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.30,000/- each, jointly and severally, with the Delhi State Legal Services Authority within a period of four weeks from today, and file the proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

9. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

10. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 12, 2024/ns/AS

Click here to check corrigendum, if any