



\$~37

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1703/2024**
SADDAM HUSSAIN AND ORS Petitioners
Through: **Mr.Rajesh Kumar and**
Mr.Brijesh Sharma, Adv.

versus

THE STATE NCT OF DELHI AND ORS Respondents
Through: **Mr.Amol Sinha, ASC (Crl.)**
with Mr.Kshitiz Garg,
Mr.Ashvini Kumar and
Ms.Chavi Lazarus, Adv. with
SI Mohan Lal.
Respondent nos.2 and 3 in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **27.05.2024**

CRL.M.A. 16566/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 1703/2024

2. This petition has been filed under Article 226 of the Constitution of India read Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.343/2024 registered at Police Station: Alipur, Delhi under Sections 324/341/34 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.Amol Sinha, learned Additional Standing Counsel (Crl.) and by the respondent nos.2 and 3, who appear in person.
5. The petitioners and the respondent nos. 2 and 3 are next-door neighbours and the disputes between them arose out of some petty issues, which led to the filing of the abovementioned FIR.
6. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Compromise Deed dated 20.05.2024.
7. The respondent nos.2 and 3 are personally present in Court and have been duly identified by the Investigating Officer ('IO'). They reaffirm the abovementioned settlement and state that they have settled all the disputes with the petitioners out of their own free will and without any coercion. The respondent nos.2 and 3 submit that they have no objection if the present FIR is quashed.
8. I have perused the contents of the FIR and also the settlement between the parties.
9. Keeping in view that the parties are neighbours and the disputes have been amicably settled between them, as also the fact that petitioners have no criminal antecedents and the respondent nos.2 and 3 do not wish to pursue their complaint any further, 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.
10. 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.

11. Accordingly, the petition is allowed. Consequently, FIR No.343/2024 registered at Police Station: Alipur, Delhi under Sections 324/341/34 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.10,000/- each with the *Delhi High Court Bar Clerks' Association* within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

MAY 27, 2024/ns

[Click here to check corrigendum, if any](#)