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

+ CRL.M.C. 4406/2024 & CRL.M.A. 16697/2024(Exemption)

KAMLESH YADAV AND ORS

..... Petitioners

Through: Mr. Sahil Malik, Mr. Sahil Lakra, Ms. Sonali Choudhary, Ms. Harshwati, Mr. Yashvinder Malik, Advs. with petitioners in person.

versus

THE STATE NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Hemant Mehla, APP for the State with ASI Partap Singh & SI Sanjan, P.S. Nihal Vihar. Mr. Sumit Sheoron, Mr. Abhishek Kumar, Mr. Nakul Khatri, Mr. Raj Kumar Dagar, Advs. for R-2 to 5 with R-2 to 5 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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28.05.2024

1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 586/2017, under Sections 308/354/323/341/34 IPC, registered at P.S. Nihal Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Gautam Manan, learned ASJ, West District, Tis Hazari Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that latter and respondent no.2 to 5 are neighbours and on account of some misunderstanding, dispute had taken place in pursuance of which the present



FIR and the cross FIR bearing no. 587/2017 under Sections 323/341/34 of the IPC, were registered at P.S. Nihal Vihar, at the instance of petitioner no.2. It is submitted that in pursuance of Settlement Deed dated 18.05.2024, the parties have resolved their dispute. In pursuance of the aforesaid settlement, respondents no.2 to 5 have no objection if the present FIR and the consequential chargesheet is quashed. It is further submitted that the other FIR is compoundable in nature and appropriate proceedings shall be filed for compounding the same.

3. Petitioners and respondent no. 2 to 5 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, ASI Partap Singh, P.S. Nihal Vihar.

4. Respondent No.2 to 5 state that the matter has been settled with the petitioners and they have no objection if the FIR and consequential chargesheet is quashed.

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

6. 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.”

7. 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. 586/2017, under Sections 308/354/323/341/34 IPC, registered at P.S. Nihal Vihar Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Gautam Manan, learned ASJ, West District, Tis Hazari Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 586/2017, under Sections 308/354/323/341/34 IPC, registered at P.S. Nihal Vihar Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Gautam Manan, learned ASJ, West District, Tis Hazari Courts, Delhi, is hereby quashed.

9. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 28, 2024/nk

Click here to check corrigendum, if any