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

+ **CRL.M.C. 4501/2024**

PARDEEP & ANR.

..... Petitioners

Through: Mr. Rahul Gaur, Advocate alongwith
petitioners in person

versus

STATE (GOVT OF NCT OF DELHI) AND ANR. Respondents

Through: Mr. Satish Kumar, APP for the State
with Mr. Rana Sudershan Biswas, Mr.
Chandrika Upadhyay, Advocates and
SI Prince Kumar, P.S. Mandawali
Mr. Akshay Goel and Mr. Harsh
Jadon, Advocates for R-2 alongwith
R-2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

29.05.2024

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CRL.M.A. 16990/2024 (exemption) in CRL.M.C. 4501/2024

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 4501/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 812/2015 dated 04.09.2015, registered at Police Station Mandawali, New Delhi for the offences punishable under Sections 323/354/354B/509/34 of Indian Penal Code, 1860 ('IPC') and all



consequential proceedings emanating therefrom.

4. Petitioners are present before this Court and have been identified by their counsel Mr. Rahul Gaur, and Investigating Officer (IO) SI SI Prince Kumar from Police Station Mandawali, New Delhi.

5. Brief facts of the present case are that the petitioners and the respondent no.2 are neighbours. It is alleged that on 04.09.2015, heated arguments were exchanged between the parties on account of an accident occurred near the house of the petitioners. Thereafter, on the complaint of respondent no. 2, an FIR bearing no. 812/2015 was registered against the petitioners. It is stated that a cross-FIR bearing no. 811/2015 was also got registered on the same day. Thereafter, during pendency of the cases, both the parties had amicably settled their disputes before Mediation Centre, Karkardooma Courts, Delhi *vide* Settlement Agreement dated 31.07.2023.

6. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties before Mediation Centre, Karkardooma Courts, Delhi *vide* Settlement Agreement dated 31.07.2023. Respondent no. 2 further stated that she has no objection if FIR be quashed.

7. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.



8. Considering the overall facts and circumstances of the case and the fact that both the parties are residents of the same vicinity, it will be in fitness of things that the FIR is quashed.
9. Accordingly FIR bearing no. 812/2015 dated 04.09.2015, registered at Police Station Mandawali, New Delhi for the offences punishable under Sections 323/354/354B/509/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to petitioners depositing the cost of Rs. 15,000/- each with the Civil & Session Courts Stenographers Association, Delhi within ten days.
10. The present petition stands disposed of in above terms.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 29, 2024/ns

Click here to check corrigendum, if any