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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4490/2022**
ASHOK KUMAR @ ASHOKI

..... Petitioner

Through: Mr.Shubham Gupta, Mr.Vineet Jain & Mr.Vijay Kumar, Advs. along with petitioner present in person.

versus

STATE (GNCT OF DELHI) AND ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP. SI Vipul Tomar, PS Nabi Karim.
Respondent no.2 present in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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02.04.2024

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. 0218/2019 registered at Police Station: Nabi Karim, Central, Delhi under Sections 506/323/341/354B of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and have entered into a Compromise/Settlement Deed dated 02.09.2022.
3. The respondent no.2 is present in person in Court and has been



duly identified by the Investigating Officer (IO). She submits that the complaint was filed out of some misunderstanding between her and the petitioner. She does not wish to pursue with her complaint.

4. On the other hand, the learned APP points out that the petitioner has been previously involved in the various case and he also been declared as bad character of the society. He has also drawn my attention to the criminal record of the petitioner.

5. Having considered the above factor, in my view, given the nature of the allegations made in the FIR 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. However, this shall not be considered as an honourable discharge of the petitioner in the said case. If the petitioner cites the quashing of the present FIR in future matters, he would have to disclose that it was done on the basis of the settlement he had arrived at with the complainant.

6. 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.

7. Accordingly, the petition is allowed. FIR No. 0218/2019



registered at Police Station: Nabi Karim under Sections 506/323/341/354B of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.50,000/- with the “*Delhi High Court Staff Welfare Fund, UCO Bank, Delhi High Court, A/C 15530110074442, IFSC Code UCBA0001553*”, within a period of two 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

APRIL 2, 2024/rv

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