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

+ CRL.M.C. 4774/2024 & CRL.M.A. 17863/2024 (Stay), CRL.M.A. 17864/2024 (Exemption)

ASHU

..... Petitioner

Through: Mr. Yash Kadyan, Advocate
alongwith petitioner in person.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Vipin Kumar, PS IGI Airport.
Mr. Kaustubh Mehta, Advocate for
R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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31.05.2024

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 393/2017, under Sections 279/338 of the IPC, registered at P.S. I.G.I. Airport and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Sh. Abhishek Kumar, learned ACMM, Patiala House Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that the matter has been settled between the parties before Delhi Mediation Centre, Patiala House Courts, New Delhi, *vide* settlement agreement dated 05.01.2024 and in pursuance of the same respondent no. 2 has no objection if the present FIR is quashed against the petitioner. The copy of the aforesaid settlement deed dated 05.01.20024 is on record (Annexure C).



Further, as per the settlement deed, petitioner has agreed to pay a sum of Rs. 40,000/- as compensation to respondent no. 2 and out of the same Rs.20,000/- has already been paid to respondent no. 2 and the remaining amount of Rs.20,000/- has been paid to counsel of the respondent in court today.

3. Petitioner is present in person and complainant/respondent no. 2 is present through video conferencing before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Vipin Kumar, PS IGI Airport.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and he has no objection if the FIR is quashed. He further states that all the terms of the agreement have been complied with.

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. 393/2017, under Sections 279/338 of

the IPC, registered at P.S. I.G.I. Airport and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Sh. Abhishek Kumar, learned ACMM, Patiala House Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 393/2017, under Sections 279/338 of the IPC, registered at P.S. I.G.I. Airport and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Sh. Abhishek Kumar, learned ACMM, Patiala House 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 31, 2024/sn

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