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

+ **CRL.M.C. 4977/2024**

SANDEEP KUMAR @SANDEEP CHAUDHARYPetitioner

Through: Mr. Pradeep Kumar Arya, Mr. N.K. Rathi, Mr. Aditya Kumar Yadav, Mr. Gaurav Chaudhry, Mr. Arpit Bamal, Mr. Varun Jawla , Mr. Vaibhav Chaudhry, Mr. Sachin Balhara, Mr. Alok Yadav, Advocates alongwith petitioner in person.

versus

STATE AND ANR

.....Respondents

Through: Mr. Amit Ahlawat, APP for the State with Mr. Dinesh Kumar, Mr. Sunil Kumar and Mr. Pankaj Saini, Advs. SI Vinee Kumar, P.S. Neb Sarai. Mr. Satish Chandra, Advocate for R-2 with respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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03.07.2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure, 1973 read with Article 227 of the Constitution of India, the petitioner seeks quashing of FIR No. 1323/2015 dated 14.09.2015 registered under sections 420/448/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Neb Sarai ('subject FIR') and all proceedings arising therefrom, based upon the submission that the petitioner (accused) and respondent No.2 (complainant) have resolved their disputes amicably.

2. Issue notice.



3. Mr. Amit Ahlawat, learned APP appears on behalf of the State and Mr. Satish Chandra, learned counsel appears on behalf of respondent No.2 on advance copy; and accept notice.
4. The petition further recites that though the parties have amicably settled their disputes, no formal settlement deed has been signed between the petitioner and respondent No.2.
5. The petition is supported by an affidavit of respondent No.2, which confirms that the parties have resolved their disputes, differences, misunderstandings and misgivings fully and finally; and also that the parties have agreed to cooperate in seeking the quashing of the subject FIR.
6. The petitioner and respondent no.2 are present in court; and have been duly identified by their respective counsel.
7. The court has interacted with respondent No.2. He confirms that he has resolved his disputes with the petitioner amicably and that he does not wish to pursue any further proceedings arising from the subject FIR.
8. Mr. Ahlawat confirms that the State has no objection to the subject FIR being quashed, though he points-out that subsequently sections 468 and 471 IPC have also been added to the FIR on 25.06.2024. While noting this submission, it is observed that the subject FIR dates back to 14.09.2015; and considering that the parties have resolved their disputes amicably, no further observations are called-for in relation to the above sections having been added to the FIR.



9. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*¹ as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*², this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
10. Accordingly, FIR No. 1323/2015 dated 14.09.2015 registered at P.S.: Neb Sarai is quashed. All proceedings arising therefrom also stand closed.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JULY 3, 2024

V.Rawat

¹ (2012) 10 SCC 303

² (2014) 6 SCC 466