



\$~48 & 49

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
(48)+ CRL.M.C. 5090/2022

SUBHASH SAINI Petitioner
Through: Mr.Rajesh Kaushik, Adv.

versus

THE STATE OF NCT DELHI AND ANR Respondents
Through: Mr.Shoaib Haider, APP with
SI Vipin Kumar.

(49) CRL.M.C. 6749/2022

VED PRAKASH AND ORS. Petitioners
Through: Mr.Rajesh Kaushik, Adv.

versus

THE STATE NCT OF DELHI AND ANR. Respondents
Through: Mr.Shoaib Haider, APP with
SI Vipin Kumar.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.04.2024**

1. These petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.205/2019, registered at Police Station: Keshav Puram, North-West District, Delhi, under Sections 323/308/34 of the Indian Penal Code, 1860 (in short, 'IPC') (in CRL.M.C.5090/2022) and FIR no.204/2019, registered at Police Station: Keshav Puram, North-West District, Delhi, under Sections 323/325/34 IPC (in CRL.M.C.6749/2022), along with all other proceedings arising therefrom, on the basis of a settlement.
2. Issue notice.



3. Notice is accepted by Mr. Shoaib Haider, learned APP for the State.
4. The learned counsel for the petitioner(s) submits that the subject FIRs are cross FIRs, the parties are neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the above FIRs.
5. The learned counsel for the petitioner(s) submits that the parties have now amicably settled their *inter se* disputes and have entered into a settlement vide Memorandum of Settlement/Settlement Deed dated 14.10.2022.
6. The complainants in both the FIRs, are personally present in Court and have been duly identified by the Investigating Officer (IO). They reaffirm the abovementioned settlement and state that they have settled all the disputes with the petitioner(s) out of their own free will and without any coercion. They further submit that they have no objection if the present FIRs are quashed.
7. I have perused the contents of the FIR and also the settlement between the parties.
8. Keeping in view the fact that parties are neighbours and complainants in both the FIRs do not wish to pursue their complaint any further, 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 the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.
9. Guided by the principles enunciated by the Supreme Court in its



judgments in *Narinder Singh v. State of Punjab*, (2014) 6 SCC 466; *The State of Madhya Pradesh v. Laxmi Narayan*, (2019) 5 SCC 688, *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.

10. Accordingly, the petitions are allowed. FIR No.205/2019, registered at Police Station: Keshav Puram, North-West District, Delhi, under Sections 323/308/34 of the IPC and FIR no.204/2019, registered at Police Station: Keshav Puram, North-West District, Delhi, under Sections 323/325/34 IPC, and all consequential proceedings emanating therefrom against the petitioner(s) are quashed, subject to the condition that the petitioner(s) in both the petitions shall deposit costs of Rs.15,000/- with “*The Blind Relief Association, Delhi*” State Bank of India, IOC Branch, Lodhi Road, New Delhi, Account No.30003044419, IFSC Code: SBIN0006564 within a period of four 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 30, 2024
RN/AS

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