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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5320/2022**
MANOJ & ORS. Petitioners

Through: Mr.Sudeep Yadav, Mr.Hardik
Yadav, Advs.

versus

STATE NCT OF DELHI & ANR. Respondents
Through: Mr.Shoaib Haider, APP with
SI Rajesh.
Mr.Akshat Gupta, Mr.Sumit
Garg, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.04.2024**

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.837/2015 registered at Police Station: Jaitpur, South East, Delhi under Sections 323/354B/506/509/34 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 petitioners submits the disputes arose out of a property dispute, which led to the filing of the above FIR.
3. The learned counsel for the petitioners 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 21.09.2022.



4. The respondent no.2, who is present in person in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.

6. Keeping in view the fact that the dispute arose between the parties due to a property issue and the respondent no.2 does not wish to pursue her 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.

7. 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.

8. Accordingly, the petition is allowed. FIR No.837/2015 registered at Police Station: Jaitpur, South East, Delhi under Sections



323/354B/506/509/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.25,000/- each, with *Delhi Police Martyrs' Fund*, [Bank Name: UCO Bank, IIPA, ITO, New Delhi, A/c No. 18200110036907 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

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Click here to check corrigendum, if any