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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5429/2022
SHRI RAJESH KUMAR GAUTAM @ RAJESH KUMAR

..... Petitioner

Through: Mr.Prashant Sharma, Mr.Atul
Trivedi, Advs.

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr.Shoaib Haider, APP along
with SI Amit Chaudhary.
Mr.G.Khazanchi, Mr.Anuj
Aggarwal, Advs. for DHCLSC.
R-2/Complainant in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **02.02.2024**

1. This petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 879/2010 registered at Police Station: Shakarpur, East-District, Delhi, under Sections 384/385/354/494/495/506 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.
2. The learned counsel for the petitioner submits that the parties, that is, petitioner and the respondent no.2 have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Compromise dated 19.09.2022.
3. The respondent no.2, who is present in Court (through VC) and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner 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.



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

5. Keeping in view the fact that parties, that is, the petitioner and the respondent no.2, have settled their disputes 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.

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 3, 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.879/2010 registered at Police Station: Shakarpur, East-District, Delhi, under Sections 384/385/354/494/495/506 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

FEBRUARY 2, 2024
RN/SS

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