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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5307/2024**
VINOD SINGH BINUPetitioner
Through: **Ms. Nikita Marwaha, Advocate.**

versus

STATE OF DELHI & ANR.Respondents
Through: **Mr. Utkarsh, APP for the State with**
Mr. Akshay Rathaur, Ms. Kanika Jain
and Mr. Sandeep Rana, Advocates
with SI Manju Yadav, P.S.:
Chanakyapuri.
Mr. Aditya Vardhan, Advocate for
complainant.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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15.07.2024

CRL.M.A. 20304/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 5307/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner and complainant/respondent No.2, seek quashing of case FIR No.140/2016 dated 20.08.2016 registered under sections 354-B and 451 of the Indian Penal Code, 1860 at P.S.: Chanakyapuri, New Delhi.

2. The petition is premised on Memorandum of Understanding dated 14.12.2023, attested on 15.12.2023, whereby the petitioner and



respondent No.2 have resolved the matter amicably. Though Memorandum of Understanding dated 14.12.2023 has been drawn-up in English, learned counsel appearing for respondent No.2 confirms that the contents thereof have been explained to respondent No.2 in the vernacular.

3. The petition is supported by affidavits of the petitioner, as also of respondent No.2, alongwith proofs of their I.D.s.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The court has interacted with the complainant/respondent No.2. She states that she has settled the matter with the petitioner since they are neighbours. She further says that the incident dates back to 2016; and thereafter, parties have been living peacefully as neighbours and that the petitioner has not repeated any similar conduct in the past eight years.
6. Parties have confirmed that they have settled their disputes amicably and that the memorandum of understanding has been signed by them voluntarily, closing all issues. Parties now wish to live in peace and harmony going forward.
7. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, 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.

9. Accordingly, FIR No.140/2016 dated 20.08.2016 registered under sections 354-B and 451 of the Indian Penal Code, 1860 at P.S.: Chanakyapuri, New Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JULY 15, 2024/ak