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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5642/2022**
SHIV DUTT SHARMA & ANR.

..... Petitioners

Through: Mr.Vijay Laxmi Goel &
Mr.Shubham Atresh, Advs.
Petitioners present in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Kavish Rana, PS Laxmi
Nagar, Delhi.
Respondent no.2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
05.03.2024

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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.1308/2014 registered at Police Station: Shakarpur, East District, Delhi under Sections 323/324/348/355/356/379/506/34 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 petitioner submits that the disputes arose out of some petty issues between the parties, that is, Petitioners and the respondent no. 2,3,4 and 5 which led to the filing of the abovementioned FIR.



3. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement dated 09.06.2022 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

4. The respondent no.2 is present in person in Court and has been duly identified by the Investigating Officer (IO) and he affirms the settlement and states that he has settled all the disputes with the petitioners out of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed. The respondent no.3 and 4/injured have also filed their respective affidavits affirming the settlement between the parties and giving their no objection to the quashing of the above mentioned FIR. The respondent no.5 is stated to have died during the course of the present petition, on 26.12.2022, and a verification report has also been filed in that regard.

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

6. Keeping in view the fact that the respondent no.2, 3 and 4 do not wish to pursue their complaint any further, as also the Settlement arrived at between the parties, and though the charges have been framed, the prosecution evidence is yet to begin, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would 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.1308/2014 registered at Police Station: Shakarpur, East-District, Delhi under Sections 323/324/348/355/356/379/506/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.50,000/- each with *Delhi Police Martyrs' Fund*, [Bank Name: UCO Bank, IIPA, ITO, New Delhi, A/c No. 18200110036907] within a period of two 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

MARCH 5, 2024/rv/ss

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