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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 5355/2024**

SHRI SANDEEP KUSHWAH & ORS.Petitioners

Through:

versus

THE STATE GOVT OF NCT OF DELHI & ORS.Respondents

Through: **Mr. Shoaib Haider, APP**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **16.07.2024**

CRL.M.A. 20490/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5355/2024

1. Petitioners have approached this Court seeking quashing of FIR No.360/2024, dated 13.05.2024, registered in Police Station Seemapuri for offences under Sections 323, 354, 509, 34 IPC and Section 8 of the POCSO Act, on the ground of amicable settlement arrived at between the parties.
2. It is stated by the learned Counsel for the Petitioner that it is a case where cross FIRs have been filed by both the parties. It is stated that the FIR No.350/2024, lodged by the Petitioners herein against the Complainants, already stands quashed and the parties have approached this Court for quashing of FIR No.360/2024 by filing the present Petition.
3. As per the petition, the Petitioners and the Complainants/Respondents are neighbours and residents of the same area. On the complaint of the

CRL.M.C. 5355/2024

Page 1 of 3



Respondents No.2, the instant FIR was lodged against the Petitioners. A cross-FIR was also lodged.

4. It is stated by the parties that with the intervention of neighbours and well-wishers, the parties have settled their dispute vide settlement agreement dated 02.07.2024. It is stated that they had agreed that they will maintain harmonious relations with each other. It is, therefore, requested that the instant FIR be quashed as the dispute has been amicably resolved.

5. Today, parties are present in Court and have been identified by their respective Counsels and the Investigating Officer. The Complainant states that they have settled all the disputes with the Petitioners out of their own free will, without pressure, coercion or undue influence. The parties undertake that they will remain bound by the settlement arrived at between them and the proceedings recorded before this Court. The parties understand the implication of the present proceedings.

6. In view of the mutual settlement arrived at between the parties and in view of the fact that the instant case is squarely covered by the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303, and to ensure peace and harmony between the parties, this Court is satisfied that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.360/2024, dated 13.05.2024, registered in Police Station Seemapuri for offences under Sections 323, 354, 509, 34 IPC and Section 8 of the POCSO Act and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the mutual settlement and the undertaking given to the Court.

7. Keeping in view the fact that precious judicial time and the time of the Police have been wasted, this Court is also inclined to impose costs upon



the Petitioners so that the Petitioners do not repeat such kind of activities in future. Accordingly, the Petitioners are directed to pay a sum of Rs.5,000/- each to be deposited with the "*Armed Forces Battle Casualties Welfare Fund*" within four weeks from today. Copies of the receipt be also filed with the Registry of this Court to show compliance of the Order.

7. The parties are warned not to indulge in such acts in future.
8. The Petition stands disposed of in above terms.

SUBRAMONIUM PRASAD, J

JULY 16, 2024

Rahul