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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5681/2022**
JAGDISH CHANDRA AND ORS

..... Petitioners

Through: Ms.Namita Roy, Ms.Gopa
Biswas & Mr.Himanshu Anand,
Advs.

versus

THE STATE AND ANOTHER

..... Respondents

Through: Mr.Aman Usman, APP.
SI Kishan Chand & ASI
Dharambeer, PS Bindapur.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **15.02.2024**

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.1173/2014 registered at Police Station: Bindapur, South-West District, Delhi under Sections 323/354/509/506/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 3(1)(10) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the 'SC & ST Act'), along with all other proceedings arising therefrom, on the basis of settlement.
2. The petitioners and the respondent no.2 are next door neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the above FIR.
3. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a



settlement vide Settlement Agreement/Compromise dated 13.05.2022.

4. The respondent no.2 is present in person in Court and has been duly identified by the Investigating Officer (IO) and she affirms the settlement and states that she has settled all the disputes with the petitioners 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 and also the settlement between the parties.

6. Keeping in view the fact that the parties are neighbours 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 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 3, *Ramawatar v. State of M.P.*, (2022) 13 SCC 635, 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.1173/2014



registered at Police Station: Bindapur, South-West District, Delhi under Sections 323/354/509/506/34 of IPC and Section 3(1)(10) of the SC & ST Act and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.10,000/- each with the Delhi State Legal Services Authority 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.

9. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

10. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 15, 2024/rv/ss

Click here to check corrigendum, if any