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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5816/2022**
SH YOGESH SOLANKI

..... Petitioner

Through: Mr.Prashant Vasudev Malik,
Adv. along with the petitioner
in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Shoaib Haider, APP.
SI Harsh Kumar, PS Nabi
Karim.
Mr.Dheeraj Kumar, Adv. for
the complainant.
Respondent no.2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

06.03.2024

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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. 194/2019 registered at Police Station: Nabi Karim, Central District, Delhi under Section 377 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The disputes between the parties arose out of some petty issues and misunderstandings between the parties which led to the filing of



the present 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 vide Memorandum of Understanding dated 17.08.2022.

4. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). He reaffirms the settlement and states that he has settled all the disputes with the petitioner 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 potency test of the petitioner has also been reported to be negative.

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 does not wish to pursue his 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 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. 194/2019 registered at Police Station: Nabi Karim, Central District, Delhi under Section 377 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MARCH 6, 2024/rv/AS

Click here to check corrigendum, if any