



\$~36

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5870/2022**
RAGHUNATH @ RAGHUNATH SINGH & ORS.

..... Petitioners

Through: Mr.Bhavit Sharma, Adv. along
with the petitioners present in
person.

versus

THE STATE (NCT OF DELHI) AND ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP.
SI Piyush Kumar, PS Anand
Vihar.
Respondent no.2 present in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **31.01.2024**

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.52/2012 registered at Police Station: Anand Vihar, East-District, Delhi, under Sections 323/341/308/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.
2. The learned counsel for the petitioners submits that with the interference of the common friends, the parties have amicably settled their *inter se* disputes in the month of May 2012.
3. The learned counsel for the petitioners submits that, in fact,



based on the above settlement arrived at between the parties, one of the FIR, that is, FIR No. 53/2012 registered with Police Station: Anand Vihar, East-District, Delhi has already been quashed vide order dated 07.05.2012 of this Court passed in CRL.M.C. 1580/2012 titled as ***Jitender Singh @ Sonu & Ors. v. State & Ors.***

4. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), reaffirms the settlement and states that he has settled all the disputes with the petitioner of his own free will and without any coercion. The respondent no.2 submits that he does not wish to pursue his complaint further and has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR and the Chargesheet.

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 the chances of its success will be rather minuscule and it would rather 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, 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.52/2012 registered at Police Station: Anand Vihar, East-District, Delhi, under Sections 323/341/308/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners deposit costs of Rs.25,000/- jointly or severally with the Delhi State Legal Services Authority 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.

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

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

NAVIN CHAWLA, J

JANUARY 31, 2024/rv/AS

Click here to check corrigendum, if any