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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5550/2024**
RAJENDER @BILLU & ORS.Petitioners

Through: Mr. Jai Singh Yadav, Mr. Pradeep
Yadav & Mr. Praveen, Advocates
with petitioners in person.

versus

STATE OF NCT DELHI & ANR.Respondents
Through: Mr. Hemant Mehla, APP for State.
Respondent No. 2 in person.
Insp. Data Ram, TI & S.I. Anshul, PS
Dwarka North, Delhi.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **22.07.2024**
CRL.M.A. 21171/2024 (*Exemption*)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 237/2012 registered under Sections 448/511/420/468/471/506/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Dwarka North, Delhi.



4. Issue notice.
5. Mr. Hemant Mehla, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the respondent No. 2 was posted in Delhi Police as a Constable in 1st Battalion and purchased Plot No. C-72, Patel Garden from his brother-in-law Mahender Singh on 10.02.2012 which he had acquired the said plot from Smt. Ramvati Devi in 2003 and transferred possession to the respondent No. 2.
7. On 23.09.2012, around 12 O' clock noon, Virender Singh called and informed the respondent No. 2 who was at his home that 4-5 people were attempting to occupy his plot and when the respondent No. 2 reached the plot, a person named Jasvir Singh claimed ownership of the plot and started arguing with the respondent No. 2. After a scuffle, Jasvir Singh fled from the scene.
8. On 07.10.2012, around 02:00 P.M., while respondent No. 2 was carrying out work on his plot, Rajendra @ Billu, along with nine other individuals who are the petitioners herein. The petitioners forcefully attempted to evict the respondent No. 2 from his plot, entering the premises and threatening him with harm. The petitioner No. 1/Rajendra presented forged documents claiming ownership of the plot in the name of Jasvir Singh. During this altercation, the petitioners asserted that the plot belonged to Jasvir Singh and demanded that the respondent No. 2 to vacate the premises immediately. Upon seeing a crowd gathering there, the respondent No. 2's brother-in-law Mahendra Singh, Virender Singh Sodi, Ram Swaroop Bhalotia and Munsu Ram Skekhawat arrived at the scene, escalating the confrontation between the petitioner No. 1 and the other



petitioners and the respondent No. 2 which led to a physical altercation.

9. It is further submitted that on 07.10.2012 on the complaint of the respondent No. 2, an FIR bearing No. 237/2012 under Sections 448/511/420/468/471/506/34 of the IPC, 1860 got registered at Police Station Dwarka North, Delhi. However, the Chargesheet has been filed under Sections 448/511/420/506/34 of IPC, 1860.

10. It is submitted that during the pendency of the litigations, the parties were referred to mediation, wherein the parties have amicably settled all the disputes and differences between them *vide* Settlement Deed dated 14.03.2024 in Mediation Centre, Dwarka Courts, Delhi which *inter alia* states that: -

- (i) That the respondent No. 2 has settled all the disputes with the petitioners without any monetary consideration,
- (ii) That all the petitioners have tendered their unconditional apology to the respondent No. 2 which is agreeable to respondent No. 2,
- (iii) That all the pending cases against the petitioners shall be withdrawn by the respondent No. 2.

11. In view of the Settlement Deed dated 14.03.2024, the present petition has been filed.

12. The petitioners and the respondent No. 2 are present before this Court in-person today, and they have been identified by their counsel and Investigating Officer concerned.

13. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 14.03.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present petition has been signed by all the petitioners and is



supported by affidavits of petitioners and the respondent No. 2. The parties have reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

15. Today, the complainant/respondent No. 2, who is present in Court, states that he has settled all the disputes and has no objection if the FIR is quashed.

16. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

17. Moreover, there is no legal impediment in quashing the FIR in question.

18. Accordingly, FIR bearing No. 237/2012 registered at Police Station Dwarka North, Delhi, for offences punishable under Sections 448/511/420/506/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

19. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 22, 2024/NG