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

+ **W.P.(CRL) 2170/2024 & CRL.M.A. 21190/2024**

NAKUL BALYAN & ANR.

.....Petitioners

Through: Mr. Amit Rana (D/785/2007) and Ms. Tejaswini Verma (D/4589/2018) and Mr. Vikas Sharma, Advocates with Petitioners-in-person.

versus

STATE GOVT OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Abhinav Kumar Arya, Advocate for the State.
SI Sheetal, PS Alipur
Mr. Ashish Bhardwaj, Mr. Anil Kumar (D/7591/2019), Advocates for R-2 with Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

22.07.2024

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1. The Petitioners have approached this Court for quashing FIR No.416/2024 dated 29.06.2024 registered at Police Station Alipur for offences under Sections 323, 354, 509 & 34 IPC on the ground that the parties have entered into an amicable settlement.

2. It is stated that the Petitioners and the Complainant/Respondent No.2 are family members. A perusal of the material on record indicates that the complaint arises out of a property dispute pertaining to partition of ancestral land of the parties.



3. It is stated that the parties have settled all their disputes amicably by a memorandum of settlement dated 04.07.2024. A copy of Settlement Deed dated 04.07.2024 has been annexed with the instant petition as Annexure P-2. As per the settlement, the parties have decided to live peacefully and have agreed to settle all their disputes amicably. It is stated that Respondent No.2/Complainant does not have any objection to quashing of the instant FIR and all the proceedings emanating therefrom in terms of the aforesaid settlement.

4. The Petitioners and the Complainant are present in Court today. The parties have been identified by their respective Counsels and the Investigating Officer. The Complainant states that she has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence and does not want to pursue the present case any further. She requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

5. In view of the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303 and in view of the settlement arrived at between the parties since the parties are family members, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.416/2024 dated 29.06.2024 registered at Police Station Alipur for offences under Sections 323, 354, 509 & 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.



6. Since precious judicial time and the time of the Police have been wasted, this Court is inclined to impose costs of Rs.5,000/- each on the Petitioners so that the Petitioners do not repeat such offences in future. Accordingly, the Petitioners are directed to deposit a sum of Rs.5,000/- each with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

7. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 22, 2024
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