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

+ CRL.M.C. 6105/2022

MORTON PETRUS RODRIGUES Petitioner

Through: Mr.Kunal Malhotra
(DHCLSC), Mr.Ravinder Gaur
and Mr.Lalit Choudhary, Advs.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Priyanka Dalal, APP
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **25.01.2024**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No.0212/2017 registered at Police Station: Sarita Vihar, South-East District, Delhi, under Sections 354/354(B) of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The petitioner 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. In the meantime, the parties, that is, the petitioner and the respondent nos.2 have settled their *inter se* disputes and have entered into a Settlement Deed dated 14.10.2022.
4. The respondent no.2 is present in person in Court and has been duly identified by the learned counsel for the petitioner. She affirms the settlement and states that she has no objection to the FIR and



consequential proceedings being quashed by this Court.

5. I have perused the contents of the FIR and the Charge Sheet filed by the police.

6. As the petitioner and the respondent no.2 are neighbours and the disputes between the parties have now been amicably settled and looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would lead to further wastage of time not only of the prosecution but also of the Courts and would 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 Bimsinh 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.0212/2017 registered at Police Station: Sarita Vihar, South-East District, Delhi, under Sections 354/354(B) of the IPC and all consequential proceedings emanating therefrom *qua* the petitioner are quashed.

NAVIN CHAWLA, J

JANUARY 25, 2024/ns/ss

[Click here to check corrigendum, if any](#)