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

+ **CRL.M.C. 5698/2024**

KISHAN KUMAR

.....Petitioner

Through: **Mr. Sachin Sharma and Mr. Ayush
Sharma, advocates**

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: **Mr.Digam Singh Dagar, APP for the
State.
Ms.Neha Singh (through VC)
Husband of Neha Singh**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

05.08.2024

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1. Present petition has been filed for quashing of FIR No.57/2021 registered under Section341/354(D)/506/509 at PS Gandhi Nagar.
2. The FIR was lodged on the statement of Respondent no.2/complainant alleging therein that the accused has been harassing and threatening her. It was further alleged by respondent no.2/complainant that the accused used to follow her in and around the locality she resides in, and thereby misbehaved with her. It is also alleged that the accused used to call the respondent no.2 and cause discomfort to her and her husband by way of making remarks and comments about the character of the complainant
3. However, it is stated by the learned counsel for the petitioner that now the parties have reached on a settlement vide settlement deed dated



08.07.2023 in the Mediation Centre, Kakardooma Courts, Delhi on the following terms and conditions:

- i. It is agreed and submitted by the complainant that she has amicably settled the present matter with respondent Kishan Kumar without any consideration and she does not want any compensation from the respondent nor shall she claim any compensation from respondent in future.*
 - ii. It is further agreed between the parties that they will approach Hon'ble High Court of Delhi for quashing of the FIR within one month from today and the complainant shall co-operate in quashing of FIR against the respondent including filing of affidavit and appearance in the Hon'ble High Court for the said purpose.*
 - iii. The respondent assures that he will not have any contact in any manner whatsoever with the complainant or any of her family members in future.*
4. Pursuant to the settlement, sum of Rs.1,50,000/- (Rupees One Lakh and fifty thousand only) has been handed over in cash which is duly received by the husband of respondent no.2/complainant in court today.
 5. Complainant/respondent no.2 is present through VC. She submits that she is married now and does not want to pursue the matter any further. The complainant and husband of the complainant have been identified by the IO. Respondent no. 2/complainant submits that she has entered the settlement voluntarily without any fear, force or coercion.
 6. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non- compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties.



7. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion therefore no purpose will be served in continuing with the trial.
8. Guided by the principles laid down by the Hon'ble Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *ParbatbhaiAahir @ ParbatbhaiBhimsinbhaiKarmur&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.
9. In view of the settlement arrived at between the parties, the case FIR No.57/2021 registered under Section341/354(D)/506/509 at PS Shahdara and all the proceedings emanating therefrom are quashed.
10. The petition stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 5, 2024

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