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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6353/2022
TARUN@TINKU Petitioner

Through: Mr.P.K.Chandra,
Mr.Pushpender Kumar, Advs.

versus

THE STATE (GOVT. OF N.C.T. OF DELHI) & ORS.

..... Respondents

Through: Mr.Aman Usman, APP with
SI Sandeep Singh.
Mr.Sanjeev Kumar, Adv. for
R-3 along with R-3 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.04.2024**

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.49/2014 registered at Police Station: Gazipur, Delhi, under Sections 354A/509 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioner submits that the parties are neighbours and some petty disputes arose, which led to the filing of the above FIR.

3. The learned counsel for the petitioner submits that the parties are neighbours and have now amicably settled their *inter se* disputes and have entered into a settlement vide Memorandum of Settlement/Settlement Deed dated 12.11.2022.

4. The respondent no.3, who is present in person in Court and has



been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner out of her own free will and without any coercion. The respondent no.3 submits that she has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.

6. Keeping in view the fact that the dispute arose between the parties in petty issues and the respondent no.3 does not wish to pursue her 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 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.

8. Accordingly, the petition is allowed. FIR No.49/2014 registered at Police Station: Gazipur, Delhi, under Sections 354A/509 of the IPC, and all consequential proceedings emanating therefrom against the petitioner



are quashed, subject to the condition that the petitioner shall deposit costs of Rs.25,000/- with *Delhi Police Martyrs' Fund*, [Bank Name: *UCO Bank, IIPA, ITO, New Delhi, A/c No. 18200110036907*] within a period of four 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.

NAVIN CHAWLA, J

APRIL 30, 2024
RN/RP

Click here to check corrigendum, if any