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

+ **CRL.M.C. 5845/2024**

UDAY PRATAP & ANR.

.....Petitioners

Through: Mr. Ashok Thagal, Adv.

versus

STATE NCT OF DELHI & ORS.Respondents

Through: Mr. Sanjeev Sabharwal, APP with SI
Shiv Dayal Kumar, PS Harsh Vihar
Mr. Saurabh Jana, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

19.11.2024

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1. This is a petition filed under section 482 Code of Criminal Procedure, 1973 seeking quashing of FIR No. 455/2017, dated 06.11.2017, registered at PS Harsh Vihar, Delhi under sections 323/451/354/34 IPC, 1860 and section 8 of the POCSO Act and all consequential proceedings emanating therefrom.
2. The facts are that an altercation took place between the petitioners and the respondents on the issue of a drainage system resulting in an overflow of water from the drains outside the houses of the petitioner and the respondents.
3. Both the parties regret their actions and undertake to never repeat the same in future.
4. During the pendency of the proceedings, the parties have executed a



settlement deed on 23.04.2024, whereby all the disputes between the parties have been settled.

5. Petitioner No. 1 and 2, namely Sh Uday Pratap and Sh Avadh Kishore are present in Court and are identified by their counsel Mr. Ashok Thugal, Adv. Respondent no.2/complainant i.e. Ms. Kusum Sharma is present in Court and is identified by her counsel Mr. Saurabh Jana, Adv. and IO Shiv Dayal, PS Harsh Vihar

6. The complainant/Ms. Kusum Sharma has no objection if her name is reflected in the ordersheet.

7. I am satisfied that the settlement is valid.

8. The parties state that they have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion.

9. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure the ends of justice. This court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

10. For the reasons noted above, FIR No. 455/2017, dated 06.11.2017, registered at PS Harsh Vihar, Delhi under sections 323/451/354/34 IPC, 1860 and section 8 of the POCSO Act and all consequential proceedings emanating therefrom are hereby quashed subject to each of the petitioners depositing a sum of Rs. 2,000/- as costs with DHCLSC within 4 weeks from today, as the petitioners have consumed the valuable time of the police over trivial issues.



11. The proof of payment shall be placed on record within 5 weeks from today, failing which the file shall be put up before the Court.
12. The petition is disposed of accordingly.

JASMEET SINGH, J

NOVEMBER 19, 2024/DM

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