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

+ **CRL.M.C. 5857/2024**

RAJESH KUMAR & ANR.

.....Petitioners

Through: Mr. Divyanshu Suman and Mr. Zahid Ansari, Advocates for P-1 and 2.
Mr. Vinay Kishor and Mr. Dipanshu, Advocates with Petitioners-in-person

versus

STATE OF NCT OF DELHI THROUGH SHO & ORS.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for the State.
Mr. D.S. Chauhan and Mr. Praveen Kumar, D/293/07, Advocates for R-2 to 4.
Insp. Manjusha, PS Sarita Vihar.
Insp. Rakesh (D-4409)

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

02.08.2024

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1. The Petitioners have approached this Court seeking quashing of FIR No.495/2016 dated 07.10.2016 registered at Police Station Sarita Vihar for offences under Sections 354, 354A, 509, 341 & 34 IPC on the ground that the parties have entered into an amicable settlement.
2. A perusal of the FIR shows that the present disputes arise out of a fight between the neighbours. The Petitioners have entered into a settlement agreement with the Complainant/Respondents on 23.04.2022 before Mediation Centre, Saket Courts, New Delhi. A copy of Settlement Deed



dated 23.04.2022 has been annexed with the instant petition as Annexure P-2. As per the settlement, the parties have decided to live peacefully in society and have agreed to settle all their disputes amicably. It is stated that Complainant/Respondents do not have any objection to quashing of the FIR and all the proceedings emanating therefrom in terms of the aforesaid settlement.

3. The Petitioners and the Complainant/Respondents are present in Court today. The parties have been identified by their respective Counsels and the Investigating Officer. The Complainant/Respondents states that they have settled all their disputes with the Petitioners out of their own free will, without pressure, coercion or undue influence and do not want to pursue the present case any further. They request 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.

4. 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 neighbours, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.495/2016 dated 07.10.2016 registered at Police Station Sarita Vihar for offences under Sections 354, 354A, 509, 341 & 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.

5. Since precious judicial time and the time of the Police have been wasted, this Court is inclined to impose costs of Rs.10,000/- 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.10,000/- 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.

6. It is stated that cross-FIR being FIR No.494/2016 has been filed by the Petitioners against the Respondents herein, which is for a compoundable offence. The Trial Court is requested to compound the offence against the Accused therein on their paying Rs.10,000/- as costs, to be paid to the Advocates Welfare Fund, Bar Council of Delhi.

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

SUBRAMONIUM PRASAD, J

AUGUST 2, 2024

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