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

+ CRL.M.C. 5877/2024, CRL.M.A. 22450/2024, CRL.M.A.
22451/2024

KANWAR PAL SINGHPetitioner

Through: Mr.Amit Minocha, Adv. with
petitioner.

versus

STATE THROUGH SHO PS HARI NAGAR AND ANR

.....Respondents

Through: Ms. Kiran Bairwa, APP for State and
SI Abhishek, PS Hari Nagar.
Mr. Sumante De, Mr. Rohit Khurana,
Advs. for R-2.

+ CRL.M.C. 5627/2024, CRL.M.A. 21486/2024, CRL.M.A.
21487/2024

HIMANSHU BHASKAR TRIVEDIPetitioner

Through: Mr. Sumante De, Mr. Rohit Khurana,
Advs. with petitioner.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Kiran Bairwa, APP for State and
SI Abhishek, PS Hari Nagar.
Mr.Amit Minocha, Adv. with R-2.

CORAM:



HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

06.08.2024

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The present petitions have been filed under Section 482 Cr.P.C. seeking quashing of case FIR No. 854/2014 under Section 354/323/509 IPC registered at PS Hari Nagar and FIR No. 855/2014 under Section 354/323/509 IPC registered at PS Hari Nagar.

Learned counsel for the parties submits that The petitioner and respondent No. 2 have been neighbors for over a decade, residing on the second and third floors of the same property. On 11.08.2014, a conflict between their families resulted in police intervention and both families being taken to the hospital for medical examination. Subsequently, FIR No. 855 under Sections 354, 323, and 509 IPC was registered against the petitioner, and FIR No. 854 under the same sections was registered against the respondent's husband at P.S. Hari Nagar, New Delhi. It has been submitted that now the parties have reached on a settlement. Both the parties submit that they have voluntarily and amicably settled the matter and are now living peacefully in the same building. It has been submitted that post these FIRs there has never been any dispute or quarrel amongst the parties.

I have talked to both the parties. Learned counsel appearing for both the parties have actually contributed a lot for the amicable settlement between the parties.

The law regarding quashing is very well settled. If it is a private dispute and settled between the parties. Since the dispute is predominantly private in nature and the parties have settled all the disputes amicably, in the interest of justice it would be better to put a quietus to the dispute. The



chances of conviction would also be bleak and remote, given that the parties do not wish to pursue the present complaint on account of the settlement. In the case of *Gian Singh v. State of Punjab and Another* (2012) 10 SCC 303, the Supreme Court emphasized that when considering the quashing of an FIR due to an amicable resolution between the parties, the High Court must evaluate if continuing the criminal proceedings would be unjust or contrary to the interest of justice despite the compromise. If it is determined that continuing the proceedings would be unfair, the High Court has the jurisdiction to quash them.

I consider that this is a fit case where some cost should be imposed. I consider that a sum of Rs. 25,000/- each be paid by the parties as a cost. The cost will be paid to Ms. Arpana, a young lady who recently suffered injuries due to a portion of the roof falling on her in the Delhi High Court premises. The cost will be paid to her within a period of two weeks by remitting the same to her below mentioned bank account:

Ms. Arpana, DL7944

D/o Sh. Anand Kumar,

A/C No. 0620000101639462

Bank: Punjab National Bank

Aadhar No. 578449872364

While allowing the petition, the court is of interest that the parties will remain peaceful.

In view of the above, FIR No. 854/2014 under Section 323/509 IPC registered at PS Hari Nagar and FIR No. 855/2014 under Section 354/323/509 IPC registered at PS Hari Nagar and the proceedings emanating therefrom stands quashed.



The petitions along with pending applications stand disposed of.
Copy of this order be sent to Ld. Trial Court.

DINESH KUMAR SHARMA, J

AUGUST 6, 2024/AR/NA..