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

+ CRL.M.C. 6617/2022 & CRL.M.A. 25784/2022

SH. HARBIR CHAUDHARY Petitioner

Through: Mr.Mohd. Amanullah,
Mr.M.B.Tariq, Mr.Nadeem
Khan, Mr.Azheer Ali, Advs.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Naval Kishore Jha, APP
with SI Shansher Singh.
Mr. Arpit Kumar Singh, Adv.
for R-2 with Respondent no.2
(VC).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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26.02.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No.0903/2014 registered at Police Station: Sarita Vihar, South-East District, New Delhi, under Sections 420/447/468/471 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, based on a settlement.
2. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Memorandum of Settlement dated 10.03.2015.
3. The respondent no.2, who appears virtually in court and has been duly identified by the Investigating Officer (IO), affirms the settlement



and states that he has settled all the disputes with the petitioner of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR, Charge Sheet, and also the settlement agreement arrived at between the parties.

5. As the disputes between the parties have been amicably resolved and also looking into the nature of the allegations made in the Charge Sheet, in my opinion, no useful purpose would be served in keeping the FIR/Criminal Case arising therefrom alive, as the chances of its success will be rather minuscule. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. 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.

7. Accordingly, the petition is allowed. FIR No.0903/2014 registered at Police Station: Sarita Vihar, South-East District, New Delhi, under Sections 420/447/468/471 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit an amount of Rs.75,000/- with the Delhi State Legal Services Authority within a



period of two 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.

8. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

NAVIN CHAWLA, J

FEBRUARY 26, 2024/Arya/ss

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