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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6736/2022**
KAPLESH TYAGI & ORS.

..... Petitioners
Through: Mr.Sandeep Yadav &
Ms.Salekh Chand Yadav, Advs.
Petitioners present in court.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondents
Through: Mr.Satinder Singh Bawa, APP.
SI Himanshu Yadav, PS
Chhawla.
Respondent no.2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **28.02.2024**
CRL.M.A. 26172/2022 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 6736/2022

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') read with Article 227 of the Constitution of India seeking quashing of FIR No.641/2014 registered at Police Station: Chhawla, North-West District, Delhi under Sections 435/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.



4. Notice is accepted by Mr. Satinder Singh Bawa, learned APP for the State.
5. The parties are stated to be next-door neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the above FIR.
6. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Compromise Deed dated 23.08.2022.
7. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). He reaffirms the settlement and states that he has settled all the disputes with the petitioners out 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.
8. I have perused the contents of the FIR and also the settlement between the parties.
9. Keeping in view the fact that parties are neighbours and that the respondent no.2 does not wish to pursue his 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 it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.
10. 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.

11. Accordingly, the petition is allowed. FIR No.641/2014 registered at Police Station: Chhawla, North-West District, Delhi under Sections 435/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.5000/- each, jointly or severally, with the Delhi Bar Association 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.

NAVIN CHAWLA, J

FEBRUARY 28, 2024/rv/AS

Click here to check corrigendum, if any