



\$~32

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6924/2022 & CRL.M.A. 26820/2022**
ALPANA KOHLI AND ANR

..... Petitioners

Through: Ms.Mudita Sharda, Ms.Gayatri
Nandwani & Mr.Adrian Abbi,
Advs.
Petitioners present through VC.

versus

STATE THROUGH SHO PATEL NAGAR AND ANR.

..... Respondents

Through: Mr. Shoaib Haider, APP.
SI Ravi Shankar & SI Neeraj
Choudhary, PS Patel Nagar.
Respondent no.2 present
through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

06.03.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 978/2014 registered at Police Station: Patel Nagar, Central-District, Delhi, under Sections 323/341/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The petitioners and the respondent no.2 are next-door neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the abovementioned FIR.
3. The learned counsel for the petitioners submits that the parties



have amicably settled their *inter se* disputes and a statement in this regard has also been recorded before the learned Additional Chief Metropolitan Magistrate in the order dated 17.08.2019.

4. The respondent no.2 is present in the Court (through VC) and has been duly identified by the Investigating Officer (IO). She reaffirms the abovementioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.

6. Keeping in view the fact that the parties are neighbours and that the respondent no.2 does not wish to pursue her 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 the chances of its success will be rather minuscule and it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

7. 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.



8. Accordingly, the petition is allowed. FIR No. 978/2014 registered at Police Station: Patel Nagar, Central-District, Delhi, under Sections 323/341/506/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 6, 2024/rv/ss

Click here to check corrigendum, if any