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

+ **CRL.M.C. 6394/2024**

HARVINDER SINGH & ORS.

.....Petitioners

Through: Mr. P.K. Chaudhary and Mr. Nakul Tyagi, Advocates.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with SI Raghubir Prasad, P.S.: Khyala.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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10.09.2024

CRL.M.C. 6394/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioners seek quashing of case FIR No.813/2014 dated 27.10.2014 registered under sections 420/448/468/471 of the Indian Penal Code, 1860 ('IPC') at P.S.: Khyala, Delhi ('subject FIR').

2. Considering the present petition was *filed after 01.07.2024 i.e.,* after the coming into force of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), *vide* order dated 20.08.2024 the petition was treated as one under section 528 of BNSS.



3. The petition is premised on Memorandum of Understanding ('MoU') dated 09.06.2021 signed by petitioner No.1 and respondent No.2, resolving their disputes amicably.
4. Furthermore, pursuant to what was recorded in the last order dated 20.08.2024, the petitioners have placed on record a copy of charge-sheet dated 04.06.2018 filed in the matter.
5. The petitioners have also placed on record a fresh MoU dated 20.08.2024, whereby respondent No. 2 has also recorded the settlement with petitioners Nos.2 to 4, thereby resolving the matter between all parties.
6. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their I.D.s.
7. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
8. The court has interacted with respondent No.2, as also with petitioners, who have confirmed that they have now resolved the matter and MoUs dated 09.06.2021 and 20.08.2024 have been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
9. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
10. In the circumstances, in line with the law laid down by the Supreme Court in **Gian Singh vs. State of Punjab & Anr.** reported as (2012) 10 SCC 303 as also in **Narinder Singh & Ors. vs. State of Punjab & Anr.** reported as (2014) 6 SCC 466, this court sees no reason why the



subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the MoUs between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

11. Accordingly, case FIR No.813/2014 dated 27.10.2014 registered under sections 420/448/468/471 of the IPC at P.S.: Khyala, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 10, 2024/ak