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

+ **CRL.M.C. 6554/2024**

DINESH SINGH

.....Petitioner

Through: Mr. Rohit Sharma, Mr. Himanshu
Lohiya and Mr. Mukul, Advocates.

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State
with Inspector Subhash Chand
Yadav, P.S.: Malviya Nagar and SI
Arti, P.S.: R.K. Puram.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

22.08.2024

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CRL.M.A. 25041/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 6554/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 0426/2016 dated 16.10.2016 registered under sections 354D/506/509 of the Indian Penal Code, 1860 ('IPC') at P.S.: R.K. Puram, Delhi ('subject FIR').



2. The petition is premised on Settlement Deed dated 25.07.2024 ('Settlement Deed'), whereby the petitioner and respondent No. 2 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proofs of their I.D.s.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The court has interacted with the petitioner, as also with respondent No.2, who have confirmed that they have now resolved the matter and a settlement deed has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. Ms. Shubhi Gupta, learned APP appearing on behalf of the State however submits, that considering the seriousness of the allegations in the FIR, the subject FIR may be quashed subject to costs.
7. 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 settlement 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.



8. While allowing the petition however, this court considers it appropriate, that by way of atonement, the petitioner shall pay costs of Rs.7,500/- to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, Delhi, within 02 weeks. Petitioner is directed to place on record proof of payment of costs, within 01 week thereafter.
9. Subject to the aforesaid condition, FIR No. 0426/2016 dated 16.10.2016 registered under sections 354D/506/509 IPC at P.S.: R.K. Puram, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. The Registry is directed to re-list the matter if costs are not paid as directed above.
11. Petition stands disposed-of in the above terms.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 22, 2024/ak