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

+ **CRL.M.C. 9379/2023**

MOHIT DHATWALA @ PRINCE AND ANR. Petitioners

Through: Ms. Poonam Sharma and Mr. S.K. Chauhan, Advocates alongwith petitioners in person

versus

STATE NCT OF DELHI AND ANR. Respondents

Through: Mr. Ritesh Bahari, APP for the State along with Ms. Divya Srivastava, Mr. Ankit Rai, Advocates and SI Dharmveer, P.S. Chhawla
Mr. Sanjeev Rawat, Mr. Yash Preet Singh and Ms. Arooshi Rawat, Advocates for R-2 alongwith R-2 in person

**CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA**

**ORDER
27.05.2024**

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 177/2021, registered at Police Station Chhawla, New Delhi for the offences punishable under Sections 354B/427/509/354A/354/325/34 of Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Petitioners are present before this Court and have been identified by their counsel Ms. Poonam Sharma, and Investigating Officer (IO) SI



Dharmveer from Police Station Chhawla, New Delhi.

3. Brief facts of the present case are that the petitioners and the respondent no.2 are known to each other as they are residing in the same vicinity i.e. in B.S.F. Chhawla Camp, New Delhi. It is stated that on 30.03.2021, a quarrel had taken place between the petitioners and respondent no. 2. On the complaint of respondent no. 2, an FIR bearing no. 177/2021 for offences punishable under Sections 323/354B/427/509/34 of IPC was registered at Police Station Chhawla, New Delhi against the petitioners. It is stated that on 24.01.2023, a cross-FIR bearing no. 50/2023 was also got registered at Police Station Chhawla, New Delhi, on the complaint of petitioner no. 2 herein, for offences punishable under Sections 323/341/506/34 of IPC. Thereafter, during pendency of the cases, both the parties had amicably settled their disputes before Mediation Centre, Dwarka Courts, New Delhi *vide* Settlement Agreement dated 20.04.2023.

4. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties before Mediation Centre, Dwarka Courts, New Delhi *vide* Settlement Agreement dated 20.04.2023. Respondent no. 2 further stated that she has no objection if FIR be quashed.

5. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant



thereto. There is no legal impediment in quashing the FIR in question.

6. Considering the overall facts and circumstances of the case and the fact that both the parties are residents of the same vicinity, it will be in fitness of things that the FIR is quashed.

7. Accordingly FIR bearing no. 177/2021, registered at Police Station Chhawla, New Delhi for the offences punishable under Sections 354B/427/509/354A/354/325/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to petitioners depositing the cost of Rs. 5,000/- each with the Advocates Welfare Fund, Dwarka Courts, New Delhi within fifteen days.

8. The present petition stands disposed of in above terms.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 27, 2024/ns

Click here to check corrigendum, if any