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

+ **W.P.(CRL) 47/2024**

ASHOK KUMAR JHA AND ORS

..... Petitioners

Through: Mr. Devraj Singh, Advocate
alongwith petitioners in person.

versus

STATE THROUGH SHO PS RANHOLA AND ANR

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya, Advocate.
ASI Anil Kumar, P.S. Ranhola, Outer
District, Delhi.
Mr. Avijeet Kumar, Ms. Insha & Mr.
Aoun Abbas, Advocates for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **30.01.2024**

CRL.M.A. 407/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 841/2023, under Sections 308/323/34 of the IPC, registered at P.S. Ranhola.
4. Learned counsel appearing on behalf of the petitioners submits that



that petitioners and respondent no. 2 are neighbours and the present FIR was registered on account of a dispute which arose between the parties on the occasion of diwali. It is pointed out that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement *vide* Memorandum of Settlement dated 06.12.2023. In pursuance of which, respondent no. 2 has no objection if the present FIR is quashed. Cross-FIR bearing FIR No. 842/2023, under Sections 308/323/34 of the IPC at P.S. Ranhola registered at the instance of petitioner no. 1 herein, (subject matter of W.P.(CRL) 307/2024) is being quashed *vide* separate order of the same date.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, ASI Anil Kumar, P.S. Ranhola.

6. The complainant/respondent No.2 states that the matter has been settled with the petitioners and he has no objection if the FIR is quashed.

7. Learned Standing Counsel for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned Standing Counsel for the State also has no objection if the present FIR is quashed, subject to cost.

8. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the



High Court shall be well within its jurisdiction to quash the criminal proceeding.”

9. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 841/2023, under Sections 308/323/34 of the IPC, registered at P.S. Ranhola.

10. In the interest of justice, the petition is allowed, and the FIR No. 841/2023, under Sections 308/323/34 of the IPC, registered at P.S. Ranhola, is hereby quashed, subject to cost of Rs. 25,000/- to be deposited by the petitioners with Delhi High Court Bar Association Employees Welfare Fund within 10 days from today.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 30, 2024/bsr