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

+ **CRL.M.C. 369/2024**

HIMANSHU

..... Petitioner

Through: Mr. Brijendra Kumar Yadav,
Advocate alongwith petitioner in
person (through VC).

versus

THE STATE N C T OF DELHI ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for the
State with SI Akash Kumar & SI
Sanjay Bansal, P.S. Bhajan Pura.
Respondent no. 2 through VC.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **28.02.2024**

CRL.M.A. 1447/2024 (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 Section 482 of the Cr.P.C. seeks quashing of FIR No. 372/2018, under Sections 380/457 of the IPC, registered at P.S. Bhajanpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Pankaj Rai, learned Metropolitan Magistrate, North-East, Karkardooma Courts, Delhi.



4. Learned counsel appearing on behalf of the petitioner submits that the latter and respondent no. 2 have neighbouring shops and on account of some misunderstanding, the present FIR was registered. It is further submitted that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement/MOU dated 17.07.2023 whereby, a sum of Rs. 1,20,000/- in the form cheque bearing no. 078628, dated 04.03.2019, drawn on Bank of India was paid to respondent no. 2 for full and final settlement (Annexure P-3).

5. Petitioner and complainant/respondent no. 2 appear through video conferencing and have been duly identified by the Investigating Officer, S.I. Akash Kumar, P.S. Bhajanpura.

6. The complainant/respondent no.2 states that the matter has been settled with the petitioner and he had received the aforesaid amount. He further states that he has no objection, if the present FIR is quashed.

7. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

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. 372/2018, under Sections 380/457 of the IPC, registered at P.S. Bhajanpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Pankaj Rai, learned Metropolitan Magistrate, North-East, Karkardooma Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 372/2018, under Sections 380/457 of the IPC, registered at P.S. Bhajanpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Pankaj Rai, learned Metropolitan Magistrate North-East, Karkardooma Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 28, 2024/bsr