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

+ **CRL.M.C. 455/2024**

NAVEEN

..... Petitioner

Through: Mr.Sudheer K. Pandey, Adv.
with petitioner in person.

versus

THE STATE, (GOVT. OF NCT OF DELHI). & ANR.

..... Respondents

Through: Mr.Sanjeev Sabharwal, APP
with SI Teena, ASI Subhash.
Ms.Muskaan Dewan, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **19.01.2024**

CRL.M.A. 1769/2024 (Exemption)

1. Allowed, subject to all just exception.

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2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 439/2023, registered at Police Station: Dwarka North, New Delhi under Section 448 of the Indian Penal Code, 1860 (in short, 'IPC') along with all consequential proceedings arising therefrom.

3. The learned counsel for the petitioner submits that the parties have amicably settled the disputes by entering into a Memorandum of Settlement dated 06.10.2023.

4. The respondent no.2, who is present in Court and has been duly



identified by the learned counsel and the IO, submits that he does not have any objection to the quashing of the present FIR.

5. In view of the above and considering the Settlement between the parties, I find that no useful purpose will be served in continuing with the proceedings of the present FIR. It would rather create further acrimony between the parties and will just be an unnecessary burden on the State exchequer.

6. Keeping in mind the facts of the present case and being guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.*** and (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 3, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

7. Accordingly, the FIR No. 439/2023, registered at Police Station: Dwarka North, New Delhi under Section 448 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner deposits costs of Rs.50,000/- with MCD Co-Ed. Primary School No.2, Kakrola Village, New Delhi-110078, School ID-1757205 within a week from today. The costs so deposited shall be utilised by the said School for providing the winter uniform and other educational materials to the girl students belonging to the EWS Category.

8. The petitioner shall file, with the Registry of this Court, proof



of such deposit of the above costs and also supply a copy thereof to the concerned IO within the above-said period.

9. The petition is allowed in the above terms.

NAVIN CHAWLA, J

JANUARY 19, 2024/Arya/am

Click here to check corrigendum, if any