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

+ **CRL.M.C. 7339/2024**

DINESH AND ORS

.....Petitioners

Through: Mr. Narender Singh, Advocate with
petitioners in court.

versus

STATE (NCT OF DELHI) AND ANR

.....Respondents

Through: Ms. Shubhi Gupta, APP for State with
SI Avinash Kumar, P.S.: Anand
Vihar.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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17.09.2024

CRL.M.A. 27999/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 7339/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No. 0424/2018 dated 12.12.2018 registered under sections 354/323/341/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Anand Vihar, Delhi.

2. The petition is premised on Settlement Deed dated 10.09.2024 ('Settlement Deed'), whereby the petitioners and respondent No. 2 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.



4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel and by the Investigating Officer.
5. The court has interacted with respondent No.2, as also with the petitioners, 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 confirms that the State has no objection to the subject FIR being quashed.
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.
8. That being said however, the record shows that the subject FIR has been pending since 2018 and the matter has only come to be settled 06 years later in 2024, after respondent No. 2/complainant had already recorded her examination-in-chief, and it would appear, that the settlement was reached only when the complainant was undergoing cross-examination. The petitioners have therefore settled the matter with respondent No. 2 after considerable delay, and have, in the meantime, needlessly burdened the criminal justice system for about 06 long years.



9. In view thereof, while allowing the petition, this court considers it appropriate that by way of atonement, the petitioners shall pay costs of Rs. 15,000/- *each* to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi within 04 weeks.
10. Petitioners are directed to place on record proof of payment of costs within 01 week thereafter.
11. Subject to the aforesaid condition, FIR No. 0424/2018 dated 12.12.2018 registered under sections 354/323/341/34 IPC at P.S.: Anand Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. The Registry is directed to re-list the matter if costs are not paid as directed above.
13. The petition stands disposed-of.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 17, 2024

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