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

+ CRL.M.C. 1160/2024 CRL.M.A. 4581/2024 Stay

CRL.M.A. 4582/2024 Delay in Re-filing

**PRADEEP KUMAR**

..... Petitioner

Through: Ms. Purnima Jain, Mr. Mukul Jain,  
& Mr. Vaibhav Tripathi, Advs. with  
petitioner in person.

versus

**THE STATE (NCT OF DELHI) & ANR.**

..... Respondents

Through: Mr. Suni Kr. Gautam, APP for State  
with SI Raghbir Prasad, P.S.  
Naraina.  
Mr. Tarun Goel & Mr. Ambuj  
Sharma, Advs. for R-2 with  
respondent no.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

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**13.02.2024**

**CRL.M.A. 4579/2024 Exemption & CRL.M.A. 4580/2024 Exemption**

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

**CRL.M.C. 1160/2024 & CRL.M.A. 4581/2024 Stay,**

**CRL.M.A. 4582/2024 Delay in Re-filing**

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 103/2018, under Sections 279/337 IPC, registered at P.S. Naraina and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Rahul



Jain, learned Chief Metropolitan Magistrate, Patiala House Courts, New Delhi.

4. It is submitted that during the pendency of the aforesaid FIR, the parties have settled the matter before Delhi Mediation Centre, Patiala House Courts Complex on 16.10.2023. The copy of the aforesaid settlement deed dated 16.10.2023 is on record (Annexure P-5.).

5. Petitioner 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, SI Raghbir Prasad, P.S. Naraina.

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. He further states that all the terms of the agreement have been complied with.

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. 103/2018, under Sections 279/337 IPC,



registered at P.S. Naraina and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Rahul Jain, learned Chief Metropolitan Magistrate, Patiala House Courts, New Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 103/2018, under Sections 279/337 IPC, registered at P.S. Naraina and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Rahul Jain, learned Chief Metropolitan Magistrate, Patiala House Courts, New 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 13, 2024/nk**