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

+ **CRL.M.C. 7516/2024 & CRL.M.A. 28692/2024**

PRABHASH JHA @KANHAIYAPetitioner

Through: Mr. Ashwani Tyagi, D/3853/2015,
Advocate with Petitioner in person.

versus

STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Respondent No.2 in person
SI Vijay Kumar, D-6913, PS Jaitpur

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
23.09.2024

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1. The Petitioner has approached this Court for quashing FIR No.105/2018 dated 17.02.2018 registered at Police Station Jaitpur for offences under Sections 323, 341, 354, 354B, 506 IPC on the ground that the parties have entered into an amicable settlement.
2. It is stated that a cross-FIR being FIR No.106/2018 more or less for the very same offences has been registered against the brother of the Complainant in the present case.
3. The Petitioner has approached this Court for quashing the instant FIR on the ground that the Petitioner has entered into a settlement with the Complainant/Respondent No.2 before the Delhi Mediation Centre, Saket Courts, Delhi, on 20.03.2024. It is stated that the parties are neighbours and



that in order to avoid further acrimony, they have decided to settle their disputes amicably.

4. The Petitioner and the Complainant/Respondent No.2 are present in Court today. The parties have been identified the Investigating Officer. The parties undertake that they will not file such cases against each other in future. The Complainant states that she has settled all her disputes with the Petitioner out of her own free will, without pressure, coercion or undue influence and does not want to pursue the present case any further. She requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

5. Since the parties are neighbours and they have settled their disputes amicably, this Court is inclined to quash the present FIR. Resultantly, FIR No.105/2018 dated 17.02.2018 registered at Police Station Jaitpur for offences under Sections 323, 341, 354, 354B, 506 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

6. Though this Court has quashed the present FIR but this Court is now witnessing a spurt in complaints being filed between neighbours, family members on the allegations of Section 354 & 354B IPC on very trivial issues. This Court has time and again observed that filing of such cases causes delay in investigation of important cases and also delay in Court proceedings because the Investigating Officer has to spent time in investigating such matters and has to be present in Court in such cases



because of which cases that require serious and thorough investigation are not being able to be conducted properly.

7. Since substantial judicial time and the time of the Police has been wasted in the present case, this Court is inclined to impose costs of Rs.10,000/- on the Petitioner to be deposited with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. Let a receipt of the same be supplied to the Investigating Officer and the same be also filed in the Registry of this Court within two week thereafter.

8. The Petitioner is directed to plant 20 trees in his locality and nurture them. The Investigating Officer is directed to ensure that the trees are planted by the Petitioner and a Compliance Report regarding the same shall also be filed before this Court within six weeks from today.

9. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 23, 2024

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