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

+ **W.P.(CRL) 3333/2024**

SANJAY KUMAR VERMAN

.....Petitioner

Through: Mr. Munesh Kumar Sharma and Mr.
Rahul Srivastav, Advocates.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Rahul Tyagi, ASC for the State
along with SI Kumari Neeraj, PS-
Vasant Kunj North.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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23.10.2024

CRL.M.A. 32052/2024 (Exemption).

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 3333/2024 & CRL.M.A. 32053/2024 (Stay).

1. The instant petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" hereinafter) has been filed by the petitioner praying for quashing of FIR bearing No. 35/2019 dated 5th February, 2019 registered at Police Station - Vasant Kunj (North), for the offences punishable under Sections 354/354D/506 of the Indian Penal Code, 1860 ("IPC" hereinafter).

2. The petitioner is present before this Court and has been identified by his counsel Mr. Munesh Kumar Sharma and Investigating Officer Kumari



Neeraj, Police Station - Vasant Kunj (North). The respondent No.2/complainant is also present in the Court (through Video Conferencing) and has been identified by her counsel and the Investigating Officer.

3. On the query made by this Court, respondent no.2/complainant has categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that the petitioner was working in the Account's Department of a firm of respondent no. 2's father namely, M/s Dhruv Clothing Company Private Limited. However, due to certain misunderstandings, a complaint dated 5th February, 2019 was filed against the petitioner, which led to the filing of the aforesaid FIR.

5. With the intervention of their respective family members and relatives, both the parties entered into a settlement on 27th March, 2024. The terms and conditions of the said Memorandum of Understanding/Settlement ("MoU" hereinafter) are mentioned in the settlement deed which is annexed as Annexure P-3 to the instant petition. Additionally, the petitioner tendered a letter of apology dated 27th March, 2024 which is also on record along with the MoU and accordingly, the respondent no. 2 gave a no objection certificate stating that all her disputes are settled with the petitioner and expressed non-willingness to proceed with the instant criminal proceedings.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise as per the Judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303***. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.



7. *Per contra*, Mr. Rahul Tyagi, learned ASC for the State submitted that in case this Court is inclined to allow the instant petition and to quash the FIR in question in view of the settlement arrived at between the parties, cost may be imposed upon the petitioner as the FIR was registered in the year 2019 and a period of more than 5 years of judicial time is wasted.

8. Heard learned counsel for the parties and perused the record.

9. Keeping in view the fact that parties have settled the matter, undertaking given by the petitioner as well as the law laid down by the Hon'ble Supreme Court, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 35/2019 dated 5th February, 2019 registered at Police Vasant Kunj (North), for offences punishable under Sections 354/354D/506 of the IPC and consequent proceedings emanating therefrom are quashed.

10. Accordingly, the petition along with pending application(s) stands disposed of.

CHANDRA DHARI SINGH, J

OCTOBER 23, 2024

Rk/mk

Click here to check corrigendum, if any