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

+ **W.P.(CRL) 1612/2024**

NAZIM

..... Petitioner

Through: Mr. Manish Kumar, Mr. Hashim, Mr. Salman, Advocates.

versus

THE STATE & ORS.

..... Respondent

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Shivesh Kaushik, Advocate alongwith S.I. Sanjeev Lehri, ASI Babu Lal, P.S. Burari.

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

ORDER
20.05.2024

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CRL.M.A. 15694/2024 (exemption)

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

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3. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 84/2019 under Section 363 of the IPC registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Mayank Aggarwal, Learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.



4. Learned counsel for the petitioner submits that the present FIR was registered by respondent no. 2 on account of some misunderstanding, as respondent no. 3 had accompanied the petitioner with her own free will. It is submitted that before she had come back to her house, the present FIR was registered.

5. It is pointed out that respondent no. 3 in her statement under Section 164 of the Cr.P.C. also affirmed that she had gone with her own will with the petitioner herein.

6. Petitioner and complainant/respondent no. 2 as well as respondent no. 3 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, S.I. Sanjeev Lehri, P.S: Burari.

7. The complainant/respondent no.2 and respondent no. 3 states that the matter has been settled with the petitioners and they have no objection if the FIR and the chargesheet are quashed. They further state that all the terms of the compromise deed dated 09.05.2024 have been complied with.

8. In view of the settlement between the parties, learned Standing Counsel for the State also has no objection if the present FIR is quashed.

9. 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.”

10. 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. 84/2019 under Section 363 registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Mayank Aggarwal, Learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 84/2019 under Section 363 registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Mayank Aggarwal, learned Metropolitan Magistrate, Tis Hazari Courts, Delhi, are hereby quashed.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 20, 2024/ab

Click here to check corrigendum, if any