



\$~65

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

+ **CRL.M.C. 8729/2024**

ANSHUMAN & ANR.

.....Petitioners

Through: Mr. Karan Sharma, Adv.
Petitioners through VC

versus

STATE (GNCT OF DELHI)

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State
with SI Karishma Kanwat, PS
Dwarka South, SI Sabnam Saifi,
Crime Branch.
Respondent No.2 through VC

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

07.11.2024

%

CRL.M.A. 33393/2024(exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 8729/2024

1. The present petition has been filed seeking quashing of FIR No. 366/2018, dated 23.10.2018, which was registered at Police Station Dwarka South under Sections 354, 506, 509, and 34 of the Indian Penal Code, 1860 on the basis of settlement
2. Issue notice.
3. Learned APP for the State has accepted the notice.
4. The FIR was lodged on the statement of respondent No.2 alleging harassment at the hands of the petitioner. The parties were referred to the Delhi High Court Mediation and Conciliation Centre in CRL.



M.C.680/2024 wherein they reached on a settlement vide settlement agreement dated 08.10.2024 on following terms and conditions;

- 1. That both parties agree to peaceful mutual co-existence in the society and have agreed to not interfere in each other lives in any manner.*
- 2. That both parties agree to adhere to the societal norms, rules and regulations set out by the DDA, MCD, RWA and shall not create any nuisance for each other.*
- 3. That both Parties agree not to cause any hindrance to each other in any matter whatsoever.*
- 4. That Both Parties agree not to cause any interference or hindrance to each other with respect to parking and shall park their vehicles at their mutually agreed spots/ designated parking.*
- 5. That the Second Party agrees and has no objection to the FIR No. 366/18 being quashed in light of the apology offered by the First Party and the assurance given by them to end the dispute between both the parties.*
- 6. That Both parties hereto expressly agree and declare that they have arrived at this Settlement Agreement in order to put an end to existing and future disputed between Both parties with a view to bring about amity and goodwill amongst them and with a view to maintaining peace and bring about harmony in the neighborhood. Both Parties hereto further agree and declare that the terms of the Settlement Agreement arrived at between them and recorded herein are fair and bona fide and in interest of all the parties.*
- 7. That both parties undertake to abide by the terms and conditions of this Settlement Agreement which are binding on them and if any future dispute arises, shall settle the same amicably and peacefully.*
- 8. That both the parties arrived at the present Settlement*



Agreement voluntarily, without there being any pressure, coercion or threat or undue influence of any kind.

9. By signing this Settlement Agreement the parties hereto state that they have no further claims or demands against each other and all the disputes and differences have been amicably settled by the Parties hereto through the process of Mediation.

10. That the parties undertake before the Hon'ble Court to abide by the terms and conditions set out in the agreement and not to dispute the same hereinafter in future.

11. That the terms and conditions of the present Settlement Agreement have been explained and read over to all the parties in their Vernacular language and the parties agreed to the same.

5. The High Court is the highest court of the State and is conferred with the power of control and superintendence over all courts subordinate to it. Besides Articles 226 and 227, Section 482 CrPC also acknowledges the inherent power of the high court to secure the ends of justice. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would
6. It has repeatedly been held by the Courts that if the dispute is private in nature and parties have entered into the settlement at their own free will, the quashing of the proceedings may be done. However, the Courts have to satisfy themselves that the settlement so entered into is within the four corners of the law.
7. Respondent No.2 has appeared through VC and has duly been verified by the IO. She states that she has entered into the settlement



voluntarily without any fear, force or coercion.

8. Taking into account the totality of facts and circumstances, FIR No. 366/2018, dated 23.10.2018, was registered at Police Station Dwarka Southunder Sections 354, 506, 509, and 34 of the Indian Penal Code, 1860 and all the proceedings emanating therefrom are quashed.
9. The present petition along with pending application stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 7, 2024

Pallavi/smg