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

+ CRL.M.C. 8781/2024 & CrI.M.A.33598/2024

SH. SUKHBIR SINGH AND ORS

....Petitioners

Through: Mr. Manmohan Kumar, Adv.

Versus

THE STATE GOVT OF NCT OF DLEHI AND ORS.....Respondents

Through: Mr. Yudhvir Singh Chauhan,
APP for the State.
SI Kamal Chaudhary PS Prem
Nagar.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

10.12.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.456/2020, dated 14.10.2020, registered under Sections 323/341/34 of IPC at PS Prem Nagar and all the other proceedings emanating therefrom.
2. Briefly stated the facts are that the parties are relatives and a quarrel took place between them due to some misunderstanding which resulted in the registration of two cross FIRs. However, learned counsels for the parties submitted that the parties have settled the dispute amicably with the intervention of elderly people and friends and have now entered into a settlement agreement. Learned counsels



have submitted that the settlement agreement has been filed vide diary no.5801499/2024, but it is not on record.

3. Let the settlement agreement be brought on record.
4. All the parties are present in Court and have been duly identified by the Investigation Officer. The complainants submit that they have entered into the settlement voluntarily without any fear, force, or coercion and have no objection if the FIR No.456/2020, dated 14.10.2020, registered under Sections 323/341/34 of IPC at PS Prem Nagar, and all the other proceedings emanating therefrom are quashed.
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 Cr.P.C. 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 merely be an abuse of process of law.
6. The Courts have repeatedly held 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. In the case of ***Narinder Singh & Ors. V. State of Punjab & Anr.*** (2014) 6 SCC 466, it was *inter-alia* held that criminal cases having



overwhelmingly and predominantly of civil character should be quashed when the parties have resolved their entire disputes among themselves. Therefore, in the present case, predominantly, it is a private dispute, and the parties have settled the matter.

8. Taking into account the totality of facts and circumstances of the case, this Court considers that as the parties have entered into an amicable settlement, out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.
9. In view of the above, FIR No.456/2020, dated 14.10.2020, registered under Sections 323/341/34 of IPC at PS Prem Nagar, and all the other proceedings emanating therefrom are quashed, subject to the deposition of cost of Rs.10,000/- each upon the petitioners to be deposited with the Delhi High Court Staff Employees' Welfare Fund, within four weeks from today.
10. The present petition along with the pending applications, if any, stands disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 10, 2024

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