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

+ **W.P.(CRL) 3575/2024 & CRL.M.A. 34178/2024**

MEENA KUMARI

.....Petitioner

Through: Ms. Vibha Waliya with Mr. Gautam
Deval and Mr. Priyanshu, Advocates.
Petitioner in court.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Amol Sinha, ASC for the State
with Mr. Kshitiz Garg, Mr. Ashvini
Kumar and Ms. Chavi Lazarus,
Advocates.
SI Shubhanshu, P.S.: Kalyanpuri.
Mr. Ashutosh Awasthi, Advocate for
R2 with R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

23.12.2024

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By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No.80097677/2024 dated 03.09.2024 registered under section 305 of the Bharatiya Nyaya Sanhita, 2023 ('BNS') at P.S.: e-Police Station (Kalyan Puri, East District), Delhi.

2. As recorded in last order dated 13.12.2024, though the parties had settled their *inter-se* disputes *vide* Mediated Settlement dated 28.11.2024, certain aspects of the settlement were yet to be performed.
3. In this backdrop, the complainant who is a practicing advocate submits, that he would be willing to consent for quashing of the subject FIR *against all the accused persons* regardless of whether they are parties



to the settlement agreement or are arrayed in the present petition, *provided* the actionable points in the settlement agreement are performed and completed by the concerned parties.

4. The complainant is present in court today. He states that he has received back his original educational certificates and records that had been taken-away by the petitioner as also the sum of Rs. 07 lacs towards compensation towards quashing of the subject FIR.
5. The complainant however submits, that certain other household articles and goods that the petitioners had removed from the complainant's premises, have still not been returned since those are stated to be in the custody of the Investigating Officer as case property.
6. The terms of settlement are comprised in clause 12 of Mediated Settlement dated 28.11.2024; of which clauses 12(ii) and (iii) have been complied-with by the petitioner.
7. In the circumstances, the complainant submits, that subject to the petitioner co-operating to the extent required in performing the remaining terms of settlement comprised in clause 12(i), he does not object to the quashing of the subject FIR.
8. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.
9. Mr. Amol Sinha, learned ASC confirms that the State has no objection to the subject FIR being quashed.
10. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the



subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

11. Accordingly, *subject to* the petitioner complying with and co-operating in the performance of her obligations under clause 12(i) of the mediated settlement, FIR No.80097677/2024 dated 03.09.2024 registered under section 305 BNS at P.S.: e-Police Station (Kalyan Puri, East District), Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of in the above terms.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 23, 2024/ds