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

+ **CRL.M.C. 9163/2024**

SURJEET SINGH & ANR.

.....Petitioners

Through: Mr.Dinesh Kumar Sharma,
Mr.Manish Malik, Mr.Ashish Balyan,
Mr.Hitesh Kumar, Mr.Nikhil Narula
and Mr.Jai Subhash Thakur, advts.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr.Hemant Mehla, APP for State.
SI Sudesh Kumar, PS Kanjhawala

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

22.11.2024

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CRL.M.A. 35090/2024(exemption)

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 9163/2024

Present petition has been filed for quashing of FIR no.50 dated 19.02.2019 registered under Section 354/323 IPC at PS Kanjhawala and all the proceedings arising therefrom.

Briefly stated, the FIR alleges that on 18.02.2019, the complainant alleged that her neighbor Preeti abused her and got into a scuffle, causing



her earring to fall. Preeti's brother, Surjeet, allegedly hit her on the chest, aggravating pain from a prior stomach surgery. A written complaint was submitted the next day, and a case under Sections 323/354 IPC was registered. The investigation was assigned to SI Pardeep Rathi.

Statement of the complainant has been recorded separately wherein she states that she has voluntarily, without any fear, threat, influence, force, or coercion, resolved/settled the entire dispute with the petitioners and since the petitioners have apologised to her, she has forgiven them and she does not want to pursue the matter any further and she has no objection to the quashing of FIR.

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.

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.

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.

In view of the submissions made, FIR no.50 dated 19.02.2019 registered under Section 354/323 IPC at PS Kanjhawala and all the proceedings arising therefrom are quashed.

The petition stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 22, 2024

Rb/na