



\$~22

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

+ CRL.M.C. 9333/2024

JEETU @ JITU AND ORS

....Petitioners

Through: Mr. Satyendra Kumar Kajla,
Advocate

versus

STATE, NCT OF DELHI AND ANR

....Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Reena and ASI Bahadur
Singh
Mr. Deepak Kumar, Advocate for
R-2

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

16.12.2024

%

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter as the “Cr.P.C”)] has been filed on behalf of the petitioners seeking for quashing of FIR bearing No. 215/2021, registered at Police Station – Dwarka Sector-23, New Delhi, for offences punishable under Sections 354/354(B)/323/509/34 of the Indian Penal Code, 1860 (hereinafter “IPC”) and the consequential proceedings emanating therefrom.
2. Issue notice.
3. Learned APP for the State accepted the notice on behalf of respondent no.1. The respondent no. 2, who is present in the Court, accepted the notice.
4. The brief facts of the case are that a dispute arose between the



petitioners and the respondent no. 2, thereby leading to the filing of the aforesaid FIR against the petitioners.

5. Learned counsel for the petitioners submitted that with the intervention of the well-wishers and families of both the parties, a settlement was entered into by the parties vide Memorandum of Understanding (MoU) dated 5th July, 2024 which is annexed as Annexure P-2. The terms and conditions of the said settlement are mentioned in the said settlement deed. It is submitted that the parties are neighbours and have been living peacefully in the same locality.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. Learned APP for the State submitted that there is no opposition to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties, however, it is submitted that cost may be imposed upon the petitioners as the FIR was registered and nearly 3 years of judicial time has been wasted.

8. Heard learned counsel for the parties and perused the record.

9. In the case of ***Gian Singh vs. State of Punjab***, (2012) 10 SCC 303, the Hon'ble Supreme Court observed quashing of the FIR on the basis of amicable resolution of disputes. It is further observed that if the High Court is of the view that continuation of criminal proceedings between the parties would amount to abuse of process of law despite the settlement or compromise between the parties, the same may be quashed.



10. The petitioners are present before this Court and have been identified by their counsel Mr. Satyendra Kumar Kajla, Advocate and the Investigation Officer (hereinafter “IO”) SI Reena. The respondent No.2 is also present in the Court and has been identified by her counsel Mr. Deepak Kumar, Advocate and by the IO.

11. On the query made by this Court, respondent No.2 has categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

12. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioners, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 215/2021, registered at Police Station – Dwarka Sector-23, New Delhi, for offences punishable under Sections 354/354(B)/323/509/34 of the IPC and consequent proceedings emanating therefrom are quashed subject to the deposition of the cost of Rs.15,000/- in the account of Army Central Welfare Fund, Saving Account no. 520101236373338 (IFSC- UBIN0530778), Bank Name- Union Bank of India, Branch- Chandni Chowk, Delhi – 110006 within a period of two weeks. The receipt to the payment of the aforesaid cost shall be furnished before the IO as well as the Registry of this Court within two weeks.

13. The petition along with pending applications, if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 16, 2024

Rt/mk

Click here to check corrigendum, if any