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

+ **CRL.M.C. 9664/2024 & CRL.M.A. 37106/2024**

NIRMALA SHAH AND ANRPetitioners

Through: Mr. Sundheswar, Adv.
P-1 in person.

versus

STATE GOVT. OF NCT OF DELHI
AND ANR.Respondents

Through: Ms. Richa Dhawan, APP
for the State with SI
Santosh Kumar, PS
Mukherjee Nagar.
Mr. Hardik Vashisht and
Mr. Moksh Arora, Adv.
for R-2.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **10.12.2024**

1. The present petition is filed seeking quashing of FIR No. 724/2018 dated 18.12.2018, registered at Police Station Mukherjee Nagar, for offence under Section 381 of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom.
2. It is averred that at the relevant time, Petitioner No.1 was working as a maid in the house of Respondent No.2. Petitioner No.2 is the husband of Petitioner No.1.
3. The present FIR was registered on a complaint given by Respondent No.2 alleging that the petitioners had stolen certain articles from his house.
4. Charges have been framed against the petitioners for the



offences under Sections 381/196B/411/34 of the IPC.

5. The learned counsel for the petitioners submits that the FIR was registered on a misunderstanding and the parties have since amicably resolved their disputes.

6. The present petition is filed on the ground that the matter is amicably settled between the parties, on their own free will, without any threat, force, coercion or misrepresentation. It is stated that the parties had made a joint statement before the learned Trial Court on 22.05.2024 that there is a likelihood of settlement.

7. The petition is supported by a duly signed affidavit of Respondent No.2 where he has deposed that the dispute has been amicably resolved and he has no objection if the present FIR is quashed.

8. Petitioner No.1 and Respondent No.2 are present in person in Court and they have been duly identified by the investigating officer.

9. It is stated that Petitioner No.2 at the moment is in judicial custody in another unrelated case.

10. Respondent No.2, on being asked, states that he does not wish to pursue the proceedings arising out of the present FIR. He further submits that he wants to put a quietus to the dispute and he has no objection if the proceedings arising out of the FIR are quashed.

11. Offences under Sections 381/411 of the IPC are compoundable in nature.

12. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offences.

13. Keeping in view the nature of dispute and that the parties



have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court.

14. However, keeping in mind the fact that the charges have been framed and the State machinery has been put to motion, ends of justice would be served if the petitioners are put to cost.

15. In view of the above, FIR No. 724/2018 and all consequential proceedings arising therefrom are quashed, subject to payment of a total cost of ₹10,000/- by the petitioners, to be deposited with Delhi Police Welfare Society, within a period of eight weeks from date.

16. Proof of payment of cost to be submitted to the concerned SHO.

17. The present petition is allowed in the aforesaid terms.

18. Pending application also stands disposed of.

AMIT MAHAJAN, J

DECEMBER 10, 2024