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

+ CRL.M.C. 9693/2024

SURESH DEVI @ SURESH & ORS.Petitioner

Through: Mr. Shivam Yadav, Advocate with
petitioners.

versus

STATE (NCT OF DELHI) & ANR.Respondent

Through: Mr. Satish Kumar, APP for the State
with SI Rohitash Yadav
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **13.12.2024**

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") (earlier under Section 482 of the Code of Criminal Procedure, 1973) has been filed on behalf of the petitioner praying for quashing of FIR bearing No. 460/2021 registered at Police Station - Neb Sarai, Delhi for offences punishable under Sections 323/341/354A/506/509/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that a dispute arose between the petitioners and the respondent no. 2, wherein the petitioners were abusing and beating the respondent no. 2. Accordingly, the aforesaid FIR was registered against the petitioners. However, a cross FIR bearing no. 461/2021 was also registered against the respondent no. 2, which was quashed by the Co-ordinate Bench of this Court vide order dated 9th



December, 2024 in CRL.M.C. 9644/2024.

3. Learned counsel for the petitioners submitted that with the intervention of family members and well-wishers, a compromise arose between the parties. Accordingly, the respondent no. 2 has filed an affidavit, which is appended at Page no. 22 of the instant petition, conveying no objection to the quashing of the FIR No.460/2021 in view of the settlement arrived at between the parties.

4. It is prayed that the instant FIR be quashed on the basis of the no objection given by the respondent no. 2 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.

5. Learned APP for the State submitted that there is no opposition to quash the FIR in question in view of the settlement arrived at between the parties.

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

7. 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.

8. The petitioners are present before this Court and have been identified by his counsel Mr. Shivam Yadav, Advocate and the Investigating Officer. The respondent No.2/complainant is also present in the Court and has been identified by the Investigating Officer.



9. On the query made by this Court, respondent no.2/complainant 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.

10. Keeping in view of the fact that parties have settled the matter and no objection given by the respondent no. 2 alongwith the cross FIR bearing No.461/2021 being quashed vide order dated 9th December, 2024 as well as the undertaking given by the petitioners, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 460/2021 registered at Police Station - Neb Sarai, Delhi for offences punishable under Sections 323/341/354A/506/509/34 IPC and consequent proceedings emanating therefrom are quashed.

10. The petition alongwith pending applications, if any, stand disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 13, 2024
NA/mk

Click here to check corrigendum, if any