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

+ CRL.M.C. 9771/2024

RAVI & ANR.

.....Petitioners

Through: Mr. Manoj and Mr. Balram Sharma,
Advocates for P-1.
Mr. Parshuram and Mr. Banke Bihari,
Advocate for P-2.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Raghuinder Verma, APP for the
State with SI Tirathpal, PS-Begumpur.
Mr. Himanshu and Mr. Mohan
Shyam, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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23.12.2024

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 (hereinafter "C.P.C")] has been filed by the petitioners praying for quashing of FIR bearing No. 227/2019 registered at Police Station - Begumpur, Delhi for offences punishable under Sections 354/323/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that a dispute arose between the petitioners and brother of respondent no. 2. During the said quarrel, the petitioner no. 1 inappropriately touched the respondent no. 2, which led to the filing of the instant FIR. Learned counsel for the petitioners submitted that with the intervention of family members and relatives, both the parties entered into settlement/compromise deed on 18th November, 2024. The



terms and conditions of the said settlement are mentioned in the settlement deed which is annexed at Page no. 43 of the instant petition.

3. 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.

4. *Per contra*, Mr. Mr. Raghuinder Verma, APP for the State, learned APP for the State submitted that in case this Court is inclined to allow the instant petition and to quash the FIR in question in view of the settlement arrived at between the parties, cost may be imposed upon the petitioner as the FIR was registered in the year 2019 and a period of more than 5 years of judicial time is wasted.

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

6. 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.

7. The petitioners are present before this Court and have been identified by his counsel Mr. Manoj, Advocate for petitioner no. 1 and Mr. Parshuram, Advocate for petitioner no. 2 and Investigating Officer Tirathpal, Police Station Begumpur. The respondent No.2/complainant is also present in the Court and has been identified by his counsel, Mr. Himanshu, Advocate and the Investigating Officer.



8. 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.

9. Upon perusal of the record, it is observed that the respondent no. 2 has filed a No objection Certificate, which is annexed as Annexure 4 to the instant petition.

10. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner and no objection given by the respondent no. 2, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 227/2019 registered at Police Station - Begumpur, Delhi for offences punishable under Sections 354/323/34 of the IPC and consequent proceedings emanating therefrom are quashed, subject to the deposition of the cost of Rs. 15,000/- (Rupees Fifteen Thousand Only) in the account of DHCBA Women Advocates Welfare Fund i.e., saving account no. 15530110172858 (IFSC- UCBA0001553), Bank Name- UCO Bank, Branch- Delhi High Court within a period of two weeks.

11. The receipt of the payment of the aforesaid cost shall be furnished before the Registry of this Court as well as the IO within two weeks.

12. The petition alongwith pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 23, 2024

NA/mk

Click here to check corrigendum, if any