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

+ **W.P.(CRL) 2869/2018**

RAJ BALA & ANR

..... Petitioners

Through: Mr. Manoj Verma, Advocates
alongwith petitioner no. 1 in person.
Petitioners no. 2,3,4 and 7

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Ms. Nandita Rao, ASC (criminal) for
the State with Mr. Amit Peswani and
Ms. Anuka Bachawat, Advocates.
Insp. Sandeep Kumar, PS Vasant
Vihar.
R-2 and 3 through VC.
Mr. Arjun Wadhwa, Advocate for R2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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31.01.2024

1. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 419/2012, under Section 186/353/332/323/341/34 of the IPC, registered at PS Vasant Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Sh. Kapil Gupta, learned Chief Metropolitan Magistrate, Patiala House Courts, New Delhi.
2. Learned counsel appearing on behalf of the petitioners submit that during the pendency of the aforesaid proceedings, parties have arrived at a settlement agreement dated 18.06.2016 before the Delhi High Court



Mediation and Conciliation Centre and in pursuance of the same, respondent no. 2 has no objection if the present FIR and the consequent proceedings are quashed against the petitioners. Attention of this Court is drawn to order dated 04.02.2015, passed by a learned Single Judge of this Court in W.P.(CRL) 250/2016 (Annexure P-3), whereby the proceedings with respect to co-accused Ms. Pooja Sharma were quashed.

3. Petitioner no. 1 is present before the Court and petitioners no. 2-4, 7 and respondent no. 2 and 3 are present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, Insp. Sandeep Kumar, PS Vasant Vihar.

4. Respondent no. 2, i.e, the complainant/author of the FIR states that the matter has been settled with the petitioners and they have no objection if the FIR is quashed against the petitioners.

5. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”

6. As noted hereinabove, a learned Single Judge of this Court, *vide* order dated 04.02.2015 passed in W.P.(CRL) 250/2016 has already quashed proceedings in the present FIR *qua* one of the co-accused, i.e., Ms. Pooja Sharma.



In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 419/2012, under Section 186/353/332/323/341/34 of the IPC, registered at PS Vasant Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Sh. Kapil Gupta, learned Chief Metropolitan Magistrate, Patiala House Courts, New Delhi.

7. In the interest of justice, the petition is allowed, and the FIR No. 419/2012, under Section 186/353/332/323/341/34 of the IPC, registered at PS Vasant Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Sh. Kapil Gupta, learned Chief Metropolitan Magistrate, Patiala House Courts, New Delhi, is hereby quashed qua petitioners no. 1 to 4 and 7.

8. Petition is allowed and disposed of accordingly.

9. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 31, 2024/sn