



\$~45

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

+ W.P.(CRL) 3720/2018

HARISH SHARMA & ORS

..... Petitioners

Through: Mr. Anirban Bhattacharya, Advocate.
Petitioners through VC.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondents

Through: Ms. Nandita Rao, ASC (criminal)
for the State.

Mr. Bhanu Prakash, PS Janakpuri.

Mr. Vishal Bakshi, Advocate for R-2
to 6 (through VC).

Respondents through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

26.04.2024

%

1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 124/2017, under Sections 420/506/34 of the IPC, registered at P.S. Janakpuri, New Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Bharti Beniwal, learned Chief Metropolitan Magistrate-II, Dwarka Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that *vide* compromise deed dated 09.08.2017, the matter was compromised with respondents nos. 3 to 5. It is submitted that the matter was settled with respondent no. 6 before the learned Trial Court on payment of agreed amount.
3. Petitioners are present before the Court through video conferencing



and have been duly identified by their counsel.

4. Respondents no. 2 to 6 are present before the Court through video conferencing and have been duly identified by their counsel and they submit that the matter has been settled with the petitioners and they have no objection if the FIR is quashed. They further submit that all the terms of the agreement have been complied with.

5. In view of the settlement between the parties, learned ASC for the State also has no objection if the present FIR is quashed.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the 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 proceeding.”

7. 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. 124/2017, under Sections 420/506/34 of the IPC, registered at P.S. Janakpuri, New Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Bharti Beniwal, learned Chief Metropolitan Magistrate-II, Dwarka Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 124/2017, under Sections 420/506/34 of the IPC, registered at P.S.



Janakpuri, New Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Bharti Beniwal, learned Chief Metropolitan Magistrate-II, Dwarka Courts, Delhi, is hereby quashed.

9. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 26, 2024/sn

Click here to check corrigendum, if any