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

+ **W.P.(CRL) 725/2024**

ABHISHEK GUPTA

.....Petitioner

Through: Mr. Anukul Adhana, Advocate
versus

STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Amol Sinha, ASC for the State.
With R-2 in court.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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10.01.2025

1. The present petition has been filed on behalf of the Petitioners under Article 226 of the Constitution of India seeking quashing of FIR No. 0116/2024 dated 09.02.2024 registered at Police Station Mangolpuri for offences under Sections 279/337 of the Indian Penal Code, 1860 on the basis of the Settlement Deed dated 18.10.2024 which is on record of this Court.
2. This order is being passed in continuation of the order dated 16.12.2024.
3. The Respondent No. 2 is present in Court today. He states that he has received an additional sum of Rs. 75,000/- today and thus the total amount received is Rs. 3 lakhs. He states that parties have settled their disputes as recorded in the Settlement Deed dated 21.02.2024. He states that he is satisfied with the compensation received and he will abide by the terms of settlement recorded therein.
4. Respondent No. 2 is present in Court and he has been identified by the Petitioner's counsel, as well as the Investigating Officer (IO). Respondent No. 2 states that he does not wish to pursue the proceedings arising out of



present FIR and has no objection to the said FIR being quashed. An affidavit in this regard has also been filed by him.

5. The confirmation and consent of Respondent No. 2, stands recorded vide order dated 06.12.2024.

6. Keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute and considering the chances of conviction of the Petitioner being remote and bleak, this Court is, therefore, of the view that there is no use continuing with proceedings of the present FIR, as it would be misuse of the process of the Court and an unnecessary burden on the State exchequer. Further this Court is also of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. In view of the above, the FIR No. 0116/2024 dated 09.02.2024 registered at Police Station Mangolpuri for offences under Sections 279/337 of the Indian Penal Code, 1860 and proceedings emanating therefrom are quashed.

8. Parties shall abide by the terms of settlement.

9. Pending application is disposed of as infructuous.

10. The petition stands allowed and FIR stands quashed.

11. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JANUARY 10, 2025/mt/MG

[Click here to check corrigendum, if any](#)