

Mukesh Singh Rawat & Ors vs State(Govt. Of Nct Of Delhi) & Anr on 17 March, 2023

Author: Amit Sharma

Bench: Amit Sharma

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 1339/2023

MUKESH SINGH RAWAT & ORS.

Through: Mr. Shekhar Chauhan & Mr.
Chaudhary, Advocates.

versus

STATE(GOVT. OF NCT OF DELHI) & ANR.

Through: Mr. Hitesh Vali, APP for
with SI Deepak Sahu, P.S.
Prahladpur.
Mr. Ajay Yadav, Advocate
alongwith R-2 in person
Rakesh Singh Rawat, husband
in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% 17.03.2023

1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 315/2020, under Sections 354/506/509/34 of the IPC, registered at P.S. Pul Prahlad Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sanghmitra, learned Metropolitan Magistrate, Mahila Court, South-East, Saket Court, New Delhi.
2. Learned counsel appearing on behalf of the petitioners submits that the petitioners and respondent no. 2 are family members. On 04.08.2020, a quarrel took place between the petitioners and respondent no. 2, alongwith her husband, on account of which, the present FIR has been registered.
3. It is further submitted that during the pendency of the present FIR, a settlement has been arrived at between the petitioners and respondent no. 2, alongwith her husband vide Memorandum of Understanding („MOU)/Settlement Deed dated 03.02.2023. In pursuance of the said MOU/Settlement Deed, respondent no. 2 has no objection, if the present FIR is quashed.

4. It is further submitted that a cross-FIR bearing no. 316/2020, under Sections 506/509 of the IPC has been registered at the instance of Mr. Mahavir Singh, father-in-law of respondent no. 2. The said FIR has already been compounded vide order dated 13.03.2023, passed by Ms. Sanghamitra, learned Metropolitan Magistrate, Mahila Court, South-East, Saket Courts, Delhi.

5. Petitioners and complainant/respondent no. 2 alongwith her husband, Mr. Rakesh Singh Rawat, are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Deepak Sahu, P.S. Pul Prahladpur.

6. The complainant/respondent No. 2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed.

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

8. 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."

9. 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. 315/2020, under Sections 354/506/509/34 of the IPC, registered at P.S. Pul Prahlad Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sanghamitra, learned Metropolitan Magistrate, Mahila Court, South-East, Saket Court, New Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 315/2020, under Sections 354/506/509/34 of the IPC, registered at P.S. Pul Prahlad Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sanghamitra, learned Metropolitan Magistrate, Mahila Court, South-East, Saket Court, New Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J MARCH 17, 2023/bsr