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

+ CRL.M.C. 6633/2023, CRL.M.A. 24863/2023

HEMANT JAIN & ANR. Petitioners

Through: Mr. Abhishek Gupta, Advocate
alongwith petitioners in person

versus

STATE (GNCTD) & ANR. Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State with SI Vishwa, PS Ashok
Vihar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

15.09.2023

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1. The petitioners vide the present petition under Section 482 of the Code of Criminal Procedure, 1973 seek quashing of FIR No.0434/2018 dated 09.12.2018 registered under Sections 406/420/467/468/469/471/120B/34 of the Indian Penal Code, 1860 at PS.: Ashok Vihar, Delhi and all proceeding emanating therefrom in view of the Compromise Deed dated 28.08.2023 filed in CS(OS) 248/2018 arrived at between the parties.

2. This petition is accompanied by the Compromise Deed dated 28.08.2023 and is also supported by affidavits of all the petitioners and of respondent no.2, alongwith proofs of their respective I.Ds.

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3. Petitioner nos. 1 and 2 and as also respondent no.2 are present in Court and have been identified by the Investigating Officer. Their credentials have been verified by this Court.

4. Issue Notice.

5. Learned APP for the State accepts notice. She confirms that she has no objection to the quashing of the said FIR.

5. Respondent no.2 affirms the Compromise Deed dated 28.08.2023 and submits that he has voluntarily settled all disputes with the petitioners. He further states that he does not wish to pursue the criminal proceedings against the petitioners and has no objection to the quashing of the present FIR.

6. In view of the fact that the settlement has been arrived at between the parties, and as the respondent no.2 does not wish to continue with the criminal proceedings, in order to bring a quietus to the present disputes, and following the law laid down by the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** (2014) 6 SCC 466, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

7. Accordingly, the petition is allowed and FIR No.0434/2018 dated 09.12.2018 registered under Sections 406/420/467/468/469/471/120B/34 of the Indian Penal Code, 1860 at PS.: Ashok Vihar, Delhi and all proceeding emanating therefrom are quashed subject to the petitioners and the respondent no.2 depositing a cost of Rs.24,000/- each (*total amounting to Rs.48,000/-*). The petitioners submit that they shall hand over their share of Rs.24,000/- in cash to the respondent no.2 today, who shall in turn, add



the same to his share of Rs.24,000/- and utilise the total cost of Rs.48,000/- for purchase/procurement of *uniform socks* for the police personnel stationed at the 6 Police Stations *namely* PS.: Keshavpuram, PS.: Bharat Nagar, PS.: Model Town, PS.: Ashok Vihar, PS.: Roop Nagar and PS.: Maurice Nagar, in equal proportion.

8. The petition, alongwith the pending applications, if any, stands disposed of.

9. List for compliance on 30.10.2023.

SAURABH BANERJEE, J

SEPTEMBER 15, 2023/rr

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