

(2018) 12 DEL CK 0375

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 6509 Of 2018, Criminal Miscellaneous Application No. 50227-28 Of 2018

Gyan Prakash & Anr

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 19-12-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 356, 379, 506

Citation : (2018) 12 DEL CK 0375

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Nalim Tripathi, Manjeet Singh Oberoi

Final Decision : Disposed Off

Judgement

1. Quashing of FIR No.350/2018, under Sections 323/341/356/379/ 506/34 of IPC, registered at police station Govind Puri, Delhi is sought on the basis of Compromise Deed of 10th December, 2018 (Annexure P-2).
2. Mr. Manjeet Singh Oberoi, learned Additional Public Prosecutor for respondent-State accepts notice and submits that respondent No.2, present in the Court, has been identified to be the complainant party/Injured of FIR in question by Investigating Officer-Sunil Kumar on the basis of identity proof produced by him.
3. Respondent No.2, present in the Court, submits that the incident in question had taken place on a trivial issue of parking and the misunderstanding, which led to the incident in question, now stands cleared between the parties vide aforesaid Compromise Deed (Annexure P-2). Respondent No.2, present in the Court, affirms the contents of aforesaid Compromise Deed (Annexure-P/2) and his affidavit filed in support of this petition and submits that the proceedings arising out of the FIR in question be brought to an end.
4. In "Gian Singh Vs. State of Punjab" (2012) 10 SCC 303 Supreme Court has recognized the need of amicable resolution of disputes in cases like the instant

one, 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."

5. The aforesaid dictum stands reiterated by the Supreme Court in a recent judgment in *Narinder Singh v. State of Punjab* (2014) 6 SCC 466.

6. Upon hearing, I find that continuance of proceedings arising out of the FIR in question would serve no useful purpose as the misunderstanding, which led to registration of this FIR, now stands cleared between the parties in terms of aforesaid Compromise Deed (Annexure P-2).

7. Accordingly, this petition is allowed and FIR No.350/2018, under Sections 323/341/ 356/379/506/34 of IPC, registered at police station Govind Puri, Delhi is quashed subject to petitioners depositing costs of `20,000/- with Prime Minister's National Relief Fund within four weeks from today and placing on record the receipt of costs before this Court as well as before trial court.

8. With aforesaid directions, this petition and applications are accordingly disposed of.

Dasti.