

(2018) 12 DEL CK 0482

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 6568 Of 2018, Criminal
Miscellaneous Application No. 50498 Of 2018

Manish Chadha

APPELLANT

Vs

State (Gnct Of Delhi)& Anr

RESPONDENT

Date of Decision : 21-12-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 289, 323, 341, 506

Citation : (2018) 12 DEL CK 0482

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : L.N.Rao, M.P.Singh, Sagar Bhatia

Final Decision : Disposed Off

Judgement

1. Quashing of FIR No.1466/2014, under Sections 289/323/341/506 IPC, registered at police station Malviya Nagar, New Delhi is sought on the basis of Compromise Deed of 10th October, 2018 (Annexure P-3).

2. Upon notice, Mr. M.P.Singh, Additional Public Prosecutor for respondent-State submits that respondent No.2, complainant of FIR in question, is present in the Court and he has been identified to be so, by SI Ram Lal.

3. Respondent No.2 /Complainant submits that Compromise Deed of 10th October, 2018 (Annexure P-3) has been acted upon and now, no dispute with petitioner survives and so, proceedings arising out of 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:-

"Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a court which

should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.

Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor."

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

6. Since the misunderstanding which led to lodging of FIR in question now stands cleared, therefore, this Court finds that continuance of proceedings arising out of this FIR would be an exercise in futility.

7. Accordingly, subject to petitioners depositing costs of ₹ 50,000/-with Prime Minister's National Relief Fund within four weeks from today and placing proof of deposit on record of this case as well as before the trial court, FIR No.1466/2014, under Sections 289/323/341/506 IPC, registered at police station Malviya Nagar, New Delhi and proceedings emanating therefrom shall stand quashed.

8. This petition and application stand disposed of in aforesaid terms. Dasti.