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**(2018) 12 DEL CK 0376**

**In the Delhi High Court**

**Case No :** Criminal Miscellaneous Case No. 6204 Of 2018

Sandeep Gulati @ Rajju & Anr

APPELLANT

Vs

State & Anr

RESPONDENT

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**Date of Decision :** 19-12-2018

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 323, 354B, 506

**Citation :** (2018) 12 DEL CK 0376

**Hon'ble Judges :** Sunil Gaur, J

**Bench :** Single Bench

**Advocate :** A.K. Tripathi, Aashaa Tiwari

**Final Decision :** Disposed Off

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## **Judgement**

1. Quashing of FIR No.577/2016, under Sections 323/354B/506/34 IPC, registered at police station Rajouri Garden, Delhi is sought on the ground that misunderstanding between the parties now stands cleared.
2. Ms. Aashaa Tiwari, 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 of FIR in question by SI Sanjeet Singh on the basis of identity proof produced by her.
3. Respondent No.2, present in the Court, submits that the misunderstanding, which led to the registration of FIR in question, now stands cleared between the parties. Respondent No.2 affirms the contents of her affidavit of 27th November, 2018 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 later decision in *Narinder Singh v. State of Punjab* (2014) 6 SCC 466.

6. In the circumstances of this case and in view of the fact that the misunderstanding between the parties now stands cleared, I find that no purpose would be served in continuance of proceedings arising out of the FIR in question.

7. Accordingly, FIR No.577/2016, under Sections 323/354B/506/34 IPC, registered at police station Rajouri Garden, Delhi is quashed subject to petitioners depositing cost of Rs.10,000/- with the Prime Minister's National Relief Fund within four weeks from today and after proof of deposit of cost is placed on record within two weeks thereafter.

8. With aforesaid directions, this petition is accordingly disposed of. Dasti.