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

+ CRL.M.C. 4086/2016

ANUJ BALI

..... Petitioner

Represented by: Mr. Bishwajeet Swain with Mr.
Vijay Singh, Advs. and
petitioner.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ravi Nayak, APP with HC
Ajit Singh, PS Vasant Vihar.
Mr. Siddhant Gautam, Adv. for
R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.11.2016

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CrI.M.A. 17074/2016

Exemption allowed, subject to all just exceptions.

CrI.M.C. 4086/2016

By the present petition, the petitioner seeks quashing of FIR No.1166/2014 under Sections 279/337 IPC and Sections 134/187 Motor Vehicle Act registered at PS Vasant Vihar, South on the complaint of respondent No.2 and the proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the petitioner is only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned counsel and the investigating officer states that the above noted FIR was

registered as the respondent No.2 received grievous injuries pursuant to an accident with the cycle he was riding. He further states that after registration of the FIR, the petitioner and respondent No.2 have entered into a settlement and pursuant thereto respondent No.2 has received two cheques for ₹1.50 lakh each. One cheque for ₹1.50 lakh has already been encashed and the second cheque for ₹1.50 lakh is bearing No.000042 dated 15th December, 2016 drawn on HDFC Bank, Greater Kailash-2, New Delhi. He states that he does not wish to pursue the above noted FIR and the proceedings pursuant thereto however without prejudice to his rights and contentions in the claim petition filed under the Motor Vehicle Act. He thus prays that above noted FIR and proceedings pursuant thereto be quashed. The petitioner who is present in Court and identified by learned counsel affirms the statement of respondent No.2 and assures that cheque No.000042 dated 15th December, 2016 will be duly honoured on presentation and in case it is dishonoured, he would pay the amount of ₹1.50 lakhs to respondent No.2 within one week with a further penalty thereon. He also affirms the statement of respondent No.2 that the present settlement between the parties is confined to quashing of FIR No.1166/2014 only and will have no bearing on the claim of respondent No.2 in the petition filed before the Motor Accident Claim Tribunal.

Since the parties have amicably resolved their differences and do not wish to pursue the above noted FIR and the proceedings pursuant thereto and there being no legal impediment in quashing of the FIR consequently, FIR No.1166/2014 under Sections 279/337 IPC and Sections 134/187 Motor Vehicle Act registered at PS Vasant Vihar, South and proceedings pursuant thereto are hereby quashed.

The parties duly identified by their respective counsels and the investigating officer have signed the order sheet in acknowledgement of their statement made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 03, 2016
‘v mittal’