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

+ **CRL.M.C. 4803/2016**

VANSH KALIA

..... Petitioner

Through: Ms.Sunita Kapil, Adv. with Ms.Pooja
Swami and Ms.Madhu K, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.G.M.Farooqui, APP for State

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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22.12.2016

CRL.M.A.19978/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4803/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.433/2016, under Sections 279/338 IPC, registered at Police Station- Hazrat Nizzamudin, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that the petitioner was driving vehicle bearing registration No. DL 8C AM 4690 on 16th September, 2016. He has further submitted that on the aforesaid date at about 4:00 a.m. when the petitioner was driving the aforesaid vehicle, he met with an accident with vehicle bearing registration No. DL 1RU 3050. He has further submitted that the petitioner was driving the vehicle very cautiously and in a

normal speed but the said accident was as a result of human error. He has further submitted that the matter has been resolved with the injured of the vehicle bearing registration No. DL 1RU 3050. He has further submitted that after the registration of FIR the matter has been settled between the parties with the help of near relatives and close friends on 15th December, 2016 in the Court of Ms.Madhu Jain, Presiding Officer, MACT, South East District, Saket Court Complex, New Delhi. Learned counsel for the petitioner further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioner. He further submits that since all disputes have been settled between the parties, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent Nos.2/injured is present in Court today and has been identified by the Investigating Officer, HC Satender Kumar, P.S. Hazrat Nizamuddin, Delhi. The respondent No.2 /injured also admits that the matter has been amicably settled with the petitioner and has received the due amount and has no claim or grievance left against the petitioner as the accident was a matter of human error. He further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. He further submits that he has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled between the parties and nothing remains to be adjudicated further, to meet the ends of justice, I deem it appropriate to quash the FIR No.433/2016, under Sections 279/338 IPC, registered at Police Station-Hazrat Nizamuddin, Delhi, and all proceedings emanating

therefrom.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 22, 2016/radhika