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

+ CRL.M.C. 5083/2015

ABDUL KALAM AZAD

..... Petitioner

Through: Mr.Sanjeev K Arora, Adv.

versus

STATE NCT OF DELHI & ORS

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with ASI Prem Chand, PS-
Alipur, HC Vinod Kumar, PS-
Bawana
Mr.R.K.Dahiya, Adv. for R-2 & R-3.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

21.12.2016

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This is a petition under Section 482 Cr.P.C. for quashing of FIR No.189/2013, under Sections 279/338 IPC, registered at Police Station- Alipur, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that the petitioner was driving vehicle bearing registration No. DL 6C K 5464 on 28th April, 2013. He has further submitted that on the aforesaid date at about 11:50 a.m. when the petitioner was driving the aforesaid vehicle, he met with an accident with vehicle bearing registration No. HR 10 S 8788. 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. HR 10 S 8788. 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 26th August, 2014. 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 & 3/injured are present in Court today and have been identified by their counsel and by the Investigating Officer, ASI Prem Chand, P.S.Alipur, Delhi. The respondent Nos.2 & 3/injured also admit that the matter has been amicably settled with the petitioner and have no claim or grievance left against the petitioner as the accident was a matter of human error. They further submit that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. They further submit that they have 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.189/2013, under Sections 279/338 IPC, registered at Police Station-Alipur, 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 21, 2016/radhika