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

% Judgment delivered on: 16.07.2018

+ CRL.M.C. 3466/2018

NITIKA AGGARWAL

..... Petitioner

versus

STATE (THE NCT OF DELHI) & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Parth Awasthi, Advocate with petitioner in person

For the Respondent: Mr. Kamal Kumar Ghai, APP for the State.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.12577/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3466/2018 & Crl.M.A.12578/2018 (Stay)

1. On the oral prayer of the petitioner, Ms. Asha Yadav one of the persons who is alleged to have been injured in the subject FIR is impleaded as respondent No.3. Amended memo of parties along with her affidavit and identity proof is taken on record.

2. Petitioner seeks quashing of FIR No.171/2017 under Sections 279/337 IPC, Police Station Gazi Pur. Subject FIR was registered consequent to an accident between a car being driven by the petitioner and the motorcycle of the complainant ridden by respondent No.2 on which respondent No.3 was sitting as a pillion.

3. The parties have settled their dispute before the Mediation Centre, Karkardooma Courts on 11.04.2018.

4. Respondent No.2 has already received an amount of Rs.49,500/- from the Motor Accident Claims Tribunal. In addition, as per the settlement, petitioner has agreed to pay Rs.39,000/- in full and final settlement for all claims as well as his wife's claim for treatment etc.

5. Out of Rs.39,0000/-, Rs.26,000/- is stated to have been paid before the trial court and balance Rs.13,000/- has been paid in cash in court today which is acknowledged by the respondent Nos.2 and 3.

6. Respondent Nos.2 and 3 are present in Court in person and are identified by the Investigating Officer. They submit that they have no objection to the quashing of the FIR.

7. In view of the fact that the parties have resolved their disputes and respondent Nos. 2 and 3 do not wish to press their complaint, 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. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

8. Accordingly, FIR No. 171/2017 under Sections 279/337 IPC, Police Station Gazi Pur, and the consequent proceedings emanating therefrom are quashed.

9. Order Dasti under signatures of Court Master.

JULY 16, 2018
ns

SANJEEV SACHDEVA, J

