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

+ **CRL.M.C. 5708/2018 & CrI.M.A. Nos.35996-35997/2018**

MADHU SUDAN Petitioner

Through Mr.Praveen Kapoor, Adv. with
petitioner in person.

versus

STATE & ORS. Respondents

Through Mr.Mukesh Kumar, APP for the
State.
SI Shailendra Kumar Singh, PS
Gokulpuri, Delhi.
Respondent nos.2 & 3 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **14.11.2018**

1. By way of the present petition filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.304/2013 registered under Sections 279/337/338 IPC at Police Station Gokal Puri, Delhi, on the basis of the settlement arrived at between the parties.

2. Learned counsel for the petitioner submits that the petitioner's vehicle met with an accident in which the respondent nos.2 & 3 were injured, leading to the registration of the aforesaid FIR. He submits that the parties have subsequently settled the matter with the respondent nos.2 & 3 by paying them compensation, for which purpose he draws my attention to order dated 27th April, 2018 passed by this Court in MAC App. No.1006/2017. He further submits that the entire agreed amount has been paid to the respondent nos.2 & 3

and, therefore, prays that the FIR and the consequential proceedings be quashed.

3. At this stage, it may be noted that the respondent no.2 is the son of respondent no.3, who is stated to be bed ridden being a polio patient, who has recently suffered a fracture in his right leg. The medical documents showing the fracture suffered by respondent no.3 have been handed over in Court and are taken on record.

4. The petitioner as also the respondent nos.2 are present in Court and have been duly identified by the Investigating Officer. I have interacted with the respondent nos.2 who submits that he and his father i.e. respondent no.3 have entered into the settlement with the petitioner out of their own free will and have received the agreed amount. He submits that he and his father do not want the criminal proceedings to continue any further.

5. I have considered the submissions of the learned counsel for the petitioner and perused the records. Keeping in view the fact that the petitioner and the complainants i.e. respondent nos.2 & 3 have entered into a settlement which fact finds mention in the order dated 27th April, 2018 passed by this Court in MAC App. No.1006/2017 and the respondent nos.2 & 3 do not want the criminal proceedings to continue any further, no useful purpose would be served in continuing with the criminal proceedings. Interest of justice demands that the FIR and all consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and the proceedings emanating therefrom are quashed, subject to the petitioner paying a sum of Rs.20,000/- as costs to Delhi

High Court Advocates Welfare Trust within four weeks. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

7. The petition along with the pending applications is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 14, 2018/aa