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

+ **CRL.M.C. 619/2018**

ASHISH KABRA

..... Petitioner

Through: Mr. Ankit Mishra, Adv.

versus

STATE & ANR

..... Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with SI Rahul Soni

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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06.02.2018

Crl. M.A. No. 2249/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. No. 2250/2018 (condonation of delay in re-filing)

For the reasons stated in the application, the delay in re-filing the application is condoned. The application stands allowed.

CRL.M.C. 619/2018

1. The petitioner seeks quashing of FIR No. 214 of 2016 under Sections 279 & 338 of the IPC Police Station Greater Kailash, New Delhi, on the basis of a settlement.

2. It is contended that respondent no. 2 sustained injury on account of a motor accident. A Deed of Settlement dated 07.10.2017 has also been executed between the parties. As per the settlement deed, the petitioner agreed to pay a sum of Rs. 40,000/- to respondent no. 2. A sum of Rs. 20,000/- has already been paid and balance sum

of Rs. 20,000/- has been paid to respondent no. 2 today in Court.

3. Respondent no. 2 is present in person in Court today, represented by his counsel and is identified by the Investigating Officer. He submits that he has settled the disputes. He further submits that he does not wish to press the criminal complaints against the petitioner any further.

4. In view of the fact that the disputes between the parties has been settled, 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 also be expedient to quash the subject FIRs and the consequent proceedings emanating therefrom.

5. In view of the above, the petition is allowed. FIR No. 214 of 2016 under Sections 279 & 338 of the IPC Police Station Greater Kailash, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 06, 2018

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