

\$~50

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

+ **W.P.(CRL) 2739/2019**

AKHILESH TRIPATHI

..... Petitioner

Through: Mr Manmohan Singh Narula,
Advocate alongwith petitioner in
person.

versus

STATE & ANR

..... Respondents

Through: Mr R.S. Kundu, ASC for State.
ASI Manoj Kumar, PS Sarojini
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

24.09.2019

CRL.M.A. 36749/2019

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2739/2019

3. The petitioner has filed the present petition, *inter alia*, praying that FIR bearing no. 0169/2019 under Section 279 of the IPC registered with P.S. Sarojini Nagar, New Delhi be quashed.
4. The said FIR was lodged at the instance of respondent no.2. It was reported that there was an incident of collision of two vehicles. It is admitted that no person was hurt and only minor repairs were required to be made to the vehicles in question.

5. The petitioner is present in Court and is identified by his counsel. Respondent no.2 is present in Court and is identified by the Investigating Officer.

6. The petitioner and respondent no.2 state that they have settled their disputes in terms of the Memorandum of Understanding dated 19.09.2019. In terms of the said settlement, the petitioner had agreed to pay a sum of ₹20,000/- to respondent no.2 in full and final settlement of all his claims. Out of the aforesaid amount, ₹10,000/- has already been paid.

7. Respondent no.2 states that he has no grievance against the petitioner and would also have no further claim against the petitioner on receipt of ₹10,000/-.

8. The petitioner has handed over a copy of the cheque (being no. 143464 dated 26.09.2019 drawn at Punjab National Bank) for a sum of ₹10,000/- to respondent no.2. Respondent no.2 has accepted the said cheque as full and final settlement of his claims (subject to realisation).

9. Both the parties (the petitioner and respondent no.2) state that they have no grievance against each other and request that the FIR in question be quashed.

10. Considering the nature of the incident and there were only minor repairs required to the two vehicles, this Court considers it in the interest of justice to quash the FIR in question.

11. Accordingly, the present petition is allowed and the FIR bearing no. 0169/2019 under Section 279 of the IPC registered with Police Station

Sarojini Nagar, New Delhi is quashed.

12. The parties (petitioner and respondent no.2) shall sign this order as an acknowledgement to their statements made herein.

VIBHU BAKHRU, J

SEPTEMBER 24, 2019/RK