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

+ **W.P.(CRL) 577/2020**

ASHUTOSH PANDEY

..... Petitioner

Through: Mr Ankur Gupta, Advocate.

versus

THE STATE & ANR

..... Respondents

Through: Mr Rahul Mehra, Standing Counsel
with SI Lalit Chauhan, PS Timarpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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27.02.2020

1. The petitioner has filed the present petition, *inter alia*, praying that FIR No.0143/2018 under Sections 279/337 of the IPC registered with PS Timarpur and all proceedings emanating therefrom, be quashed.
2. The said FIR was registered at the instance of respondent no.2. Respondent no.2 is present in the Court and is identified by the Investigating Officer. He had reported that when he was crossing the road on 17.07.2018 at about 10:20 pm when he was going to 'Punjabi Dhaba' for dinner. While he was crossing the road, one motorcycle being ridden in a rash and negligent by the petitioner (who was coming from the direction of PS Timarpur) had struck him. He states that he, as well as the petitioner, fell down on the road and the police took them to the hospital.
3. Respondent no.2 states that the incident was an accident and therefore, he had settled his disputes with the petitioner in terms of a Memorandum of Understanding (MoU) dated 24.02.2020 and he does not

wish to pursue the FIR in question. He states that he had already received a sum of ₹80,000/- in full and final settlement of all his claims including medical bills.

4. The petitioner is present in the Court and is identified by his counsel. He also confirms that the incident was an accident and notwithstanding the same, he has settled the disputes with the complainant (respondent no.2) by way of the aforesaid MoU.

5. In view of the statements made by the concerned parties (petitioner and respondent no.2), the present petition is allowed and FIR No. 0143/2018 under Sections 279/337 of the IPC registered with PS Timarpur and all proceedings emanating therefrom, are quashed.

6. The petitioner and respondent no.2 shall sign this order as an acknowledgment of the statements recorded herein.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

FEBRUARY 27, 2020
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