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

+ **CRL.M.C. 6530/2022**

ARUSHI SETIA @ ARUSHI SETHIA

..... Petitioner

Through: Mr. Sachin Hitkari, Mr. Gunjan Singh, Ms. Shakti Singh and Mr. Vishal Kumar, Advs.

Versus

STATE (GNCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Pradeep Gahalot, APP for the State with SI Nakul PS Subhash Place. Mr. Pankaj Gupta, Adv. for R-2 with R-2 in person.

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Date of Decision: 6th December, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petition has been filed for quashing of FIR No. 156/2018 lodged PS Subhash Place under Section 279/338 of IPC.
2. The FIR was lodged on the statement of Mr. Ashok Kumar- Complainant wherein it was alleged that while he was going on Scooty along with his father, Wagon R Car driven by the petitioner in a rash and negligent manner hit against him. The complainant-Ashok Kumar had suffered injuries in the knees.
3. Learned counsel for the petitioner submits that in claim petition bearing MACT/876/2019, the complainant-Ashok Kumar has already received a compensation of 7,50,000/- from the Insurance Company.

4. The parties have now reached on settlement at Delhi Mediation Centre, Rohini District Courts, Delhi dated 28th October, 2022. Settlement agreement dated 28th October, 2022 has been placed on record. In the terms of the settlement, the petitioner is required to pay a sum of Rs.1,05,000/- to the complainant-Ashok Kumar towards full and final settlement.

5. Today, complainant-Ashok Kumar has received a sum of Rs.- 1,05,000/- by way of a Demand Draft bearing No.318997 dated 9th November, 2022 drawn on State Bank of India.

6. Statement of Respondent No.2/Mr. Ashok Kumar has been recorded separately in this regard and he has also stated that he has no objection if FIR 156/2018 lodged at PS Subhash Place under Section 279/338 of IPC and all other proceedings emanating therefrom are quashed. The complainant has stated that he has made the statement voluntarily against all claims (past, present and future) without any fear, undue influence or coercion.

7. Since the parties have reached at an amicable settlement and in view of the statement of respondent no.2/ Mr. Ashok Kumar recorded separately, the case FIR 156/2018 lodged at PS Subhash Place under Section 279/338 of IPC and all the proceedings emanating therefrom are quashed.

8. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 6, 2022/Pallavi