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

+ **CRL.M.C. 4488/2023, CRL.M.A. 17169/2023**

SH MAN MOHAN

..... Petitioner

Through: Mr.Dilip Kumar Dube, Adv. with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Raj Kumar, APP for the State
SI Vineet Kumar, PS Maurice Nagar
Mr.Rajesh Kumar Aggarwal, Adv. for
R-2 with R-2 in person (through VC)

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Date of Decision: 05.07.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CRL.M.A. 17170-17171/2023 (for exemption)

Exemptions allowed subject to just exceptions.

Both the applications stand disposed of.

CRL.M.C. 4488/2023, CRL.M.A. 17169/2023

1. Present petition has been filed seeking quashing of FIR No. 0209/2015 dated 17.08.2015 registered under Section 279/337 IPC at PS Maurice Nagar.

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2. The FIR was lodged on the statement of SI Ram Chander/ complainant. In the FIR, it was alleged that that the petitioner was driving Car no. HR51AE-5741 and had hit respondent no.2, on account of which he suffered injuries and was carried to the hospital for treatment and the FIR was lodged. IO stated that respondent no.2 has suffered grievous injuries.
3. In the meanwhile both the parties have now settled their dispute amicably in full and final manner and do not wish to pursue the matter any further.
4. Learned counsel for the petitioner submits that the matter has duly been settled at Tis Hazari Courts, Delhi Mediation Centre on the following terms and conditions.

i) That the accused shall pay a total sum of Rs. 80,000/- (Rupees Eighty Thousand only) to the complainant as compensation before the Ld. Referral Court today itself;

ii) That upon payment of the said amount, the parties shall file appropriate application and / or make statement before the Ld. Referral Court for compounding of offence under Section 338 IPC;

iii) That qua the offence under Section 279 IPC the parties shall make request to the Ld. Referral Court to take a lenient view and pass appropriate order in accordance with law;

iv) That the parties undertake to remain bound by the above terms of settlement arrived at between them.



5. Learned counsel for respondent no.2 submits that in terms of the settlement, respondent no.2 has received the entire settled amount. It has been submitted that in terms of the settlement, MACT case has also been settled.
6. Respondent no.2 is present in person through Video conferencing and submits that he has received the entire settled amount settled in the mediation centre.
7. IO has duly identified the parties.
8. Section 482 Cr.P.C. pre-supposes three circumstances under which the inherent jurisdiction may be exercised, i.e., (i) to give effect to an order (ii) to prevent the abuse of the process of court and (iii) to otherwise secure the ends of justice. The court while exercising the power under Section 482 Cr.P.C. does not function as a court of appeal or revision. The powers under Section 482 Cr.P.C., are of wide plenitude but have to be exercised sparingly with caution and only in the event when aforesaid three conditions are satisfied. The object behind the exercise of such power should be to do real and substantial justice for the administration of which the courts exist.
9. It has been repeatedly held by the Hon'ble Supreme Court and this court that when the chances of an ultimate conviction are bleak and, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, and where the court may be of the opinion that a settlement between the parties would lead to better relations between them, the court may exercise power under section



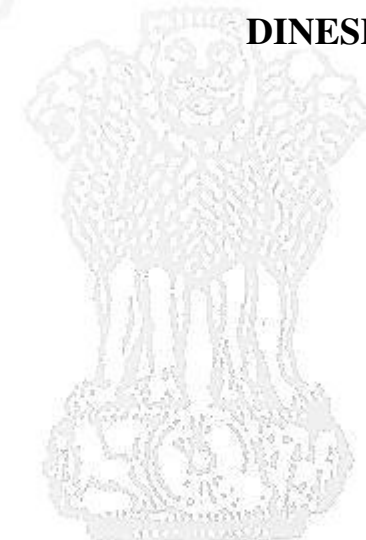
482 CrPC for quashing the proceedings or the complaint or the FIR as the case may be.

10. Since, the parties have amicably settled the matter, FIR No.209/2015 dated 17.08.2015 registered under Section 279/337 IPC at PS Maurice Nagar and all the proceedings arising therefrom are quashed.
11. Petition along with the pending application stands disposed of.

DINESH KUMAR SHARMA, J

JULY 5, 2023

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