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

+ **CRL.M.C. 3773/2022**

SH. GENDA RAM

..... Petitioner

Through: **Mr. Surendra Bharti, Adv.**

versus

THE STATE OF NCT OF DELHI AND ORS. Respondents

Through: **Mr. Raghuvinder Verma, APP for the
State with SI Sita Ram, POS Karawal
Nagar.**

Mr.. Rajesh Kumar in person.

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Date of Decision:09th May, 2023

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 under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C) for quashing of FIR No. 118/2012 registered under Sections 452/323/34 of the Indian Penal Code, 1860 (IPC) PS Karawal Nagar, Delhi and all the consequential proceedings arising therefrom.

2. Briefly stated facts of the case are that the present FIR was lodged at the statement of Respondent No.2/Complainant. The dispute arose out of a

petty fight over recharge of mobile phone. The quarrel turned into a physical fight and the parties suffered injuries. Thereafter, the present FIR was lodged.

3. The charge-sheet in this matter has been filed under sections 452/308/323/341/34.

4. However, It has specifically been stated that on the initiative of respondent no. 2 and the petitioner herein, the parties decided not to proceed further with the case on its merits and the petitioner had offered to pay a total sum of Rupees 2,55,000/ to the Respondent No. 2, as full and final settlement of the subject case/ FIR. This offer was accepted by the Respondent No.2, and payment of complete settlement amount was made to him.

5. The Complainant –Respondent No.2 is present in person and has stated that he has entered into the settlement voluntarily without any fear, undue influence or coercion.

6. IO has duly identified the parties.

7. This was a private dispute wherein the parties have reached at an amicable settlement out of their own free will and do not wish to pursue the case further.

8. It has repeatedly been held by the Courts that if the dispute is private in nature and parties have entered into the settlement at their own free will, the quashing of the proceedings may be done. However, the Courts have to

satisfy themselves that the settlement so entered into is within the four corners of the law.

9. I consider that there would be no purpose of continuing with the trial.

10. In view of the above facts and circumstances the case FIR No. 118/2012 registered under Sections 452/323/34 of the Indian Penal Code, 1860 (IPC) PS Karawal Nagar, Delhi and all the other consequential proceedings arising therefrom is quashed.

11. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

MAY 9, 2023

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