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

+ **CRL.M.C. 6612/2023**

LOKENDER SOOD

..... Petitioner

Through: Ms.Ujala Vishnoi and Mr.Gaurav,
advts.

versus

STATE NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Hemant Mehla, APP for the state
with Mr.Dipanshu Meena, Advocate
IO/SI Shivani with IO ASI Ashok
Kumar
Mr.Kapil Anand, adv. with R-2 & 3
in person.

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Date of Decision: 14.09.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CRL.M.A. 24809/2023

Exemption allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6612/2023



1. The present petition has been filed seeking the quashing of FIR No. 0309/2016 under section 279/337 IPC registered at PS Bharat Nagar, North-West Delhi. The chargesheet was also filed in the case after completion of the investigation under section 279/337/338 IPC.
2. The FIR has been lodged on the statement of Triloki Nath alleging therein on 20.06.2016 at 11:00 pm, Driver of Vehicle i.e. Santro Car bearing no. DL-2C AD-3375 hit the Vehicle i.e. Scooty bearing no. DL-SSBE-4908 and due to the impact of the said accident Respondent no.2, who was driving the alleged Vehicle i.e. Scooty and pillion rider i.e. his daughter/Respondent no.3 fell down on the road and sustained injuries.
3. However, learned counsels submit that now the parties have entered into the settlement. It has also been submitted that in MACT proceedings also, the respondents no.2 and 3 have received compensation of Rs. 4 lakhs from the insurance company. Respondents no.2 and 3 state that they have voluntarily settled the matter with the petitioner for a sum of Rs.60,000/-, which amount has been paid today vide DD No.868438 dated 06.07.2023 in the sum of Rs.60,000/- in the name of Triloki Nath drawn on Canara Bank, Wazirpur, Delhi.
4. IO is present in the court and has identified the parties.
5. 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.

6. Since the parties have reached on a settlement, 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.
7. I consider that there would be no purpose in continuing with the proceedings. The parties have amicably settled the matter. In view of the above-stated facts and circumstances, FIR No. 0309/2016 dated 22.06.2016 under section 279/337 IPC registered at PS Bharat Nagar, North-West Delhi. and all the other proceedings emanating therefrom are Quashed.
8. The present petition stands disposed of.



DINESH KUMAR SHARMA, J

SEPTEMBER 14, 2023/rb

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