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

+ **CRL.M.C. 1866/2022**

SUDHIR YADAV AND ORS.

..... Petitioners

Through: Mr.S.S. Das, Ms. Sia Das and Ms. Ria Das, Advocates with petitioners in person.

versus

STATE & ORS.

..... Respondents

Through: Mr.Hemant Mehla, APP for the state with Mr.Dipanshu Meena, Advocate ASI Gajraj Singh, PS Gokul Puri. Respondents in person.

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Date of Decision: 24.04.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. Present petition has been filed under section 482 Cr.P.C for quashing of FIR no. 0794/2015 dated 01.10.2015 registered under Section 323/341/354 (A)/506/34 IPC at PS Gokul Puri.
2. Briefly stated facts of the case are that the FIR was lodged on the statement of Ms.Meera/Respondent No.2 alleging therein she sells vegetables on a cart in front of her house. That on 30.09.2015 at about 3:00 pm, Petitioner No. 3/Sunil Yadav came in his car and instead of asking the Respondent no. 2 to remove the cart, he hit the cart and used

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offensive language. Thereafter on 1.10.2015 at about 3:30 pm persons namely Sunil, Gorakh, Saurav and Sudhir (petitioners herein) stopped Respondent No.2 on the street near her house and started beating her, her children and her sister-in-law. It is alleged that they assaulted Respondent no.2 and her family.

3. It is submitted that the incident occurred on account of a dispute between the parties over removal of a cart.
4. However, the parties have now entered into a settlement voluntarily solving all the disputes among themselves and thus the present FIR may be quashed. The compromise deed/settlement deed dated 30.12.2021 has been placed on record.
5. As per the settlement deed on account of intervention of friends and relatives as well as respectable people of the society, parties have entered into an amicable settlement. The parties have clarified all the bonafide mistakes and misunderstanding amongst them. As per the status report dated 03.08.2022 also, the injuries suffered were simple in nature.
6. IO has duly identified the parties.
7. 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.



8. I have interacted with the complainant parties. All of them state that they have voluntarily entered into the settlement without any fear, force or coercion. The IO has duly identified the complainant parties.
9. In view of the above facts and circumstances the case FIR no. 0794/2015 dated 01.10.2015 registered under Section 323/341/354 (A)/506/34 IPC at PS Gokul Puri and all the other proceedings emanating therefrom is quashed.
10. The present petition is disposed of.

DINESH KUMAR SHARMA, J

APRIL 24, 2023

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