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

+ **CRL.M.C. 454/2024**

HIMANSHU & ANR.

.....Petitioners

Through: Mr. S.K. Jha, Advocate alongwith all
the petitioners.

versus

THE STATE(GOVT.OF NCT OF DELHI) & ORS.Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI R. Singh, P.S. Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

12.11.2024

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By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioners seek quashing of case FIR No. 545/2022 dated 14.08.2022 registered under sections 308/323/341/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sangam Vihar, Delhi. Consequent upon completion of the investigation, an allegation of offence under section 201 IPC has been added *vide* chargesheet dated 09.03.2022.

2. The petition is premised on Compromise Deed dated 23.12.2023, whereby the petitioners and respondents Nos. 3 to 5 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioners and of respondents Nos. 3 to 5, alongwith proof of their IDs.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.



5. Respondent Nos. 3 and 5 are sons of respondent No. 4. The court has interacted with respondent No.4/Smt. Krishna Devi who is a senior citizen and had sustained serious injuries on her left arm and wrist, which remains immobilised to an extent till date. She submits that they have settled the matter with the petitioners only by way of an act of good neighborliness; and since the petitioners are young persons whose life and career will be ruined if they were to be convicted. Parties now wish to live in peace and harmony going forward.
6. Mr. Hemant Mehla, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
8. While allowing the petition however, this court considers it appropriate, that by way of atonement, the petitioners shall pay costs of Rs. 20,000/- *each* to Friendicoes SECA, No. 271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi within 04 weeks.
9. Subject to the aforesaid condition, FIR No. 545/2022 dated 14.08.2022 registered under sections 308/323/341/34 IPC at P.S.:



Sangam Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.

10. The petitioners are directed to place on record the proof of payment of costs within 01 week thereafter.
11. The Registry is directed to re-list the matter if costs are not paid as directed.
12. The petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 12, 2024

V.Rawat