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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 687/2024
SACHIN DALWANI & ANR. Petitioners
Through: Mr.Ashish Garg, Advocate

versus

STATE OF NCT & ORS. Respondents
Through: Mr. Nawal Kishore Jha, APP for State
with HC Khushi Ram
Mr.Govind Singh, Advocate for respondent Nos.2
and 3

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **30.01.2024**

CRL.M.A. 2799/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 687/2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 231/2023 registered under Sections 279/337 IPC at P.S. Defence Colony, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 31.12.2023, an accident occurred on the Moolchand Flyover whereby respondent No.2 suffered injuries.
3. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent Nos.2 and 3 are the only complainants/victims.



4. Learned counsels for the parties submit that the parties have entered into a settlement vide Memorandum of Understanding/Settlement dated 17.01.2024. It was agreed that a sum of Rs.4,00,000/- as full and final settlement shall be paid by the petitioners to respondent Nos.2 and 3. While an amount of Rs.1,00,000/- has already been paid, the remaining amount of Rs.3,00,000/- is being paid today vide three demand drafts of Rs.1,00,000/- each, photocopy of which have been placed on record. In terms of the settlement, respondent Nos. 2 and 3 are now left with no claim whatsoever against the petitioners.

5. The petitioner No.1 as well as AR of petitioner No.2 and respondent Nos.2 and 3, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.

6. The petitioner No.1 and AR of petitioner No.2 have shown remorse for the conduct of the petitioner No.1 as well as the incident. Respondent Nos. 2 and 3 state that they have entered into the aforesaid Memorandum of Understanding/Settlement out of their own free will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements made in Court today.

9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cumulative cost of Rs.10,000/- to be



deposited by the petitioners with the Delhi State Legal Services Authority within a period of two weeks from today and subject to encashment of the aforesaid demand draft. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

11. With the above directions, the petition is disposed of alongwith the pending application.

12. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

13. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioners is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 30, 2024

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