



\$~63

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

+ **W.P.(CRL) 537/2024 & CRL.M.A. 4892/2024 (Stay)**

RUDRAKSH SINGHANIA

..... Petitioner

Through: Mr. Alind Srivastava, Advocate
(through VC) & Ms. Sheetal Garg,
Advocate alongwith petitioner in
person.

versus

**STATE OF NCT OF DELHI THROUGH SHO PS MOTI NAGAR &
ANR.**

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) for the State with Mr.
Abhinav Kumar Arya & Mr. Shivesh
Kaushik, Advocates.
SI Ravi Narwal, P.S. Moti Nagar.
Ms. Divya Gaur, Ms. Sakshi Rathour
& Mr. Durgesh, Advocates for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **15.02.2024**

CRL.M.A. 4893/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

W.P.(CRL) 537/2024 & CRL.M.A. 4892/2024 (Stay)

3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 690/2023, under Sections 279/337 of the IPC read with Section 185 of the Motor Vehicles Act, registered at P.S. Moti Nagar.



4. Learned counsel appearing on behalf of the petitioner submits that the latter and respondent no. 2 are friends and on account of an accident having occurred on the date of incident during which the petitioner was driving the offending vehicle, the present FIR got registered. It is further submitted during the pendency of the investigation, the matter has been settled with respondent no. 2 *vide* Memorandum of Understanding dated 11.01.2024 (Annexure A-2); pursuant to which, respondent no. 2 has no objection, if the present FIR is quashed.

5. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Ravi Narwal, P.S. Moti Nagar.

6. The complainant/respondent no.2 states that the matter has been settled with the petitioner and he has no objection if the FIR is quashed.

7. Learned Standing Counsel (Crl.) for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned Standing Counsel (Crl.) for the State also has no objection if the present FIR is quashed, subject to cost.

8. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the



affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

9. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 690/2023, under Sections 279/337 of the IPC read with Section 185 of the Motor Vehicles Act, registered at P.S. Moti Nagar.

10. In the interest of justice, the petition is allowed, and the FIR No. 690/2023, under Sections 279/337 of the IPC read with Section 185 of the Motor Vehicles Act, registered at P.S. Moti Nagar, is hereby quashed, subject to the cost of Rs. 1,00,000/- to be deposited by the petitioner with Delhi High Court Legal Services Committee within 10 working days. Let the aforesaid amount be utilised towards counselling/psychological support to be provided to POCSO victims requiring such assistance.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 15, 2024/bsr