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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1719/2024**
ROSHAN MISHRA AND ANR Petitioners
Through: Mr.Shashi Shankar, Adv. with
petitioners in person.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents
Through: Mr. Shoaib Haider, APP with
ASI Bijender Singh.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **29.02.2024**

CRL.M.A. 6599/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1719/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0263/2023 registered at Police Station: Greater Kailash, New Delhi, under Sections 323/341/509/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. The learned counsel for the petitioners submits that the disputes arose between the parties while driving on the road, which led to the filing of the above FIR.

4. The learned counsel for the petitioner submits that the parties have now amicably settled their *inter se* disputes and have entered into a



settlement vide Compromise dated 28.10.2023.

5. Issue notice.

6. Notice is accepted by Mr. Shoaib Haider, the learned APP and the respondent no.2, who appears in person.

7. The respondent no.2, who is present in person in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that he has settled all the disputes with the petitioner out of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

8. I have perused the contents of the FIR and also the settlement between the parties.

9. The disputes between the parties arose while driving on the road and the same have now been settled between the petitioners and the respondent no.2 vide Settlement Agreement dated 28.10.2023.

10. As the disputes between the parties have been amicably settled between the parties by way of a settlement, and also looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.*, 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers



under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

12. Accordingly, the petition is allowed. FIR No.0263/2023 registered at Police Station: Greater Kailash, New Delhi, under Sections 323/341/509/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners deposit costs of Rs.25,000/- each, with New Delhi Bar Association Members Welfare Fund (Account No. 18580110013847) within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

FEBRUARY 29, 2024/Arya/am

[Click here to check corrigendum, if any](#)