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

+ **CRL.M.C. 1811/2024**

SHRI HARSH TOMAR

..... Petitioner

Through: Mr. Yash P. Singh and Mr. Anupam
Seth, Advs.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Pankaj Kumar, PS. Jyoti Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

22.05.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.95/2018 under Sections 279/337 IPC (subsequently charge sheet was filed under Sections 279/337/338 IPC and Section 185 of Motor Vehicles Act) registered at Police Station Jyoti Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. The learned APP submits that since the FIR is an outcome of an accident and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioner has joined through VC whereas the respondent no. 2 is present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Pankaj Kumar, PS. Jyoti Nagar.
4. The case of the prosecution is that on 16.03.2018 when the petitioner



was driving his car bearing No. DL 8C AK 3768 under the influence of alcohol, he hit the respondent no.2 Following this, the present FIR was lodged. After completion of trial, the charge sheet was filed.

5. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 18.12.2023, which is annexed as Annexure P-1 to the present petition.

6. It is recorded in the settlement that the petitioner and the respondent no.2 have amicably settled their disputes whereunder the petitioner had agreed to pay a total sum of Rs. 2 lacs to the respondent no.2 towards full and final settlement of all his claims on account of medical expenses and compensation. Out of the said amount, a sum of Rs. 80,000/- has already been paid by the petitioner to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.1.20 lacs has been transferred to the respondent no.2 by the petitioner today by way of NEFT. However, the respondent no.2, who is present in Court is yet to verify the same.

7. On a query put by the Court, he states that he has no objection in case the FIR is quashed subject to realisation of balance amount of Rs. 1.20 lacs

8. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

10. Consequently, the petition is allowed and the FIR No.95/2018 under Sections 279/337/338 IPC and Section 185 of Motor Vehicles Act)



registered at Police Station Jyoti Nagar alongwith all other proceedings emanating therefrom, is quashed subject to realisation of Rs.1.20 lacs stated to have been transferred to the respondent no.2 by the petitioner through NEFT.

11. Needless to say that the respondent no.2 is at liberty to revive the petition in case the said amount is not received by him.

12. The petition stands disposed of in the above terms.

13. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 22, 2024/dss