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

+ **CRL.M.C. 1981/2024**

SANJEEV KUMAR

.....Petitioner

Through: Mr. Yatinder Bainsla, Advocate.

versus

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

Through: Mr. Satish Kumar APP for the State
with SI Sachin Panwar, PS Fatehpur
Beri and ASI Anil, Vigilance
Barakhamba.

Mr. Deepanshu Rathee, Advocate for
the complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.08.2024

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1. The present Petition under Section 482 of the Code of Criminal Procedure (*hereinafter referred to as 'Cr.P.C, 1973*), has been filed on behalf of the petitioner and the respondent No. 2, Mr. Ashok @ Mangu seeking quashing of FIR No. 529/2017 dated 11.12.2017, registered at Police Station Fatehur Beri, New Delhi, for the offence punishable under Sections 279/338 of the Indian Penal Code, (*hereinafter referred to as 'IPC, 1860'*).

2. Issue notice.

3. Mr. Satish Kumar, learned APP accepts notice on behalf of the State.

4. On the complaint of Mr. Sandeep, a friend of the respondent No.



2/complainant, FIR No. 529/2017 dated 11.12.2017 under Section 279/338 IPC, has been registered at Police Station Fatehpur Beri.

5. It has been submitted that the matter has been amicably settled between the respondent No. 2/injured and the petitioner, before the Mediation and Conciliation Centre, Saket where both the parties have agreed to settle their disputes and the complainant is not inclined to pursue the matter further. The Settlement dated 09.02.2024 is already on record. As per the terms of the Settlement, the respondent No. 2 does not want any action in respect of the aforesaid FIR and has no objection if the FIR No. 529/2017 is quashed.

6. Learned counsel for the petitioner submits that Rs.16.5 lakhs had been given to the respondent No. 2/complainant by the MACT, unfortunately Rs.5.5 Lakhs have been taken away by the learned counsel from his account wherein the compensation amount had been deposited. Additional Rs.50,000/- has been paid by the petitioner to the respondent No. 2, *vide* Demand Draft bearing No.001217, dated 09.08.2024 made in favour of Mr. Ashok s/o Manhuri, drawn on AU Small Finance Bank, East of Kailash, Delhi and the same has been accepted by the respondent No.2/complainant, even though in the mediation, they had agreed to amicably settled this FIR

7. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

8. Today, the complainant, who is present in Court states that she has received all the amount due to him and has no objection, if the FIR is quashed.

9. In view of the above facts that the parties have amicably resolved



their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR No. 529/2017 dated 11.12.2017, registered at Police Station Fatehpur Beri, New Delhi, for the offences punishable under Sections 279/338 of the IPC and all consequential proceedings emanating therefrom are quashed.

11. The Petition stands disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 9, 2024/RS