



\$~59

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

+ CRL.M.C. 2523/2024 & CRL.M.A. 9593/2024

PARVESH @ PRAVESH KUMAR GULIAPetitioner

Through: Mr. Danish Kumar, Mr. Abhishek &
Mr. Uday, Advs with petitioner in
person

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Amit Ahlawat, APP for State
with SI Umesh PS Mundka.

Mr. Nitin Senger, Mr. Vidya Sagar
Mr. Ashutosh Kumar, Mr. Rajneesh
Kumar Shukla, Advs. for R2 & 3.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

23.10.2024

%

1. This petition has been filed seeking quashing of FIR No.404/2019 registered at Mundka, Delhi under Section 307 IPC on the basis of settlement arrived at between the parties dated 15th December 2023, which is on record of this Court.
2. Petitioner and respondent nos.2 and 3 (complainants) are present in Court and are duly identified by IO and the respective counsels.
3. As per settlement balance amount of Rs.6 lakhs has been tendered by DD No. 539232 dated 2nd September 2024 drawn on Union Bank which is handed over to respondent no.2, who acknowledges the same.
4. Attention is also drawn to order of Commissioner under Employees' Compensation Act by order dated 25th October 2023 by which



compensation of Rs.6,00,574/- (Rupees Six Lacs Five Hundred Seventy-Four only) along with simple interest@ 12% p.a. w.e.f. 18th November 2019 till the date of payment along with medical reimbursement and penalty amount has been awarded.

5. Respondent Nos.2 and 3 are satisfied with the settlement amounts awarded and received and they state that they have no objection to quashing of the FIR.

6. Considering the FIRs are of 2019 and that severe injuries had been caused to Respondent Nos.2 and 3, APP for the State objects to quashing of the FIR on basis of settlement.

7. However, in the opinion of this Court, since settlement amounts have been provided to complainants to their satisfaction, no purpose would be served in continuing with proceedings of the present FIR, as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed.

8. Consequently, subject to petitioner depositing costs of Rs.25,000/- with New Delhi Bar Association Members Welfare Fund within 4 weeks from today, the FIR No.404/2019 registered at Mundka, Delhi under Section 307 IPC and proceedings emanating therefrom are quashed. Affidavit of compliance be filed by petitioner within 2 weeks thereafter along with receipt of deposit.

9. Parties shall abide by the terms of settlement.

10. Accordingly, the petition is disposed of.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 23, 2024/sm