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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2885/2024**
SH KAPIL Petitioner

Through: Mr.Manjeet Mathur, Adv.

versus

THE STATE AND ANR NCT OF DELHI Respondents
Through: Mr.Shoaib Haider, APP with
SI Sumit Singh.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **10.04.2024**
CRL.M.A. 11034/2024 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2885/2024

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.447/2016 registered at Police Station: I.P. Estate, Central District, Delhi, under Sections 279/338/419/420/468/471 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. The FIR originally was registered under Sections 279/337 of the IPC. Later, Sections 338/419/420/468/471 of the IPC have also been added.

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 Settlement Deed/Compromise dated 18.03.2024.

5. The respondent no.2, who is personally present in Court and has



been duly identified by the IO, reaffirms the abovementioned settlement and states that he has settled all the disputes with the petitioner out of his own free will and without any coercion. He states that he has received the full compensation in terms of the settlement. He submits that he does not wish to pursue this case any further, and has no objection if the present FIR is quashed.

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

7. The present FIR has been an offshoot of a motor vehicular accident which has now been settled between the petitioner and the respondent no.2. Keeping in view the fact that the respondent no.2 does not wish to pursue the criminal case any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and will be an unnecessary burden on the State exchequer.

8. 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.

9. Accordingly, the petition is allowed. FIR No.447/2016 registered at Police Station: I.P. Estate, Central District, Delhi, under Sections



279/338/419/420/468/471 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit a cost of Rs.20,000/- with the '*Delhi High Court Bar Clerk's Association*' within a period of two 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

APRIL 10, 2024
RN/AS

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