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

+ **CRL.M.C. 3681/2023 & CrI.M.A.13916/2023**

SHAKUNTALA RAJ, AND ANR

....Petitioners

Through: Mr. Sakesh Kumar, Advocate with
petitioners in person through vc

versus

STATE OF NCT OF DELHI AND ANR

....Respondents

Through: Ms. Richa Dhawan, APP for State
with SI P Buno PS Madhu Vihar
Mr. Nitin Chaudhary, Mr. Lokesh
Kumar, Mr. Ajay Kumar and Mr.
Arun Kumar, Advocates for R-2
R-2 in person through vc

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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05.12.2024

CrI.M.A.26794/2024

1. Learned counsel for the petitioners submitted that he is not pressing the present application and has requested this Court to take on record the Settlement Agreement dated 23rd January, 2024 filed along with the present application.

2. Accordingly, the present application is dismissed being not pressed.

CRL.M.C. 3681/2023 & CrI.M.As.13916/2023

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.") (now under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS")) has been



filed by the petitioners praying for quashing of FIR bearing No. 1307/2014 registered at Police Station - Madhu Vihar, Delhi for offences punishable under Sections 323/365/342/506/34 of the Indian Penal Code, 1860 (hereinafter “IPC”).

2. The petitioners are present before this Court (through Video Conferencing) and have been identified by their counsel Mr. Sakesh Kumar and Investigating Officer SI P. Buno, Police Station - Madhu Vihar. The respondent No.2/complainant is also present in the Court (through Video Conferencing) and has been identified by her counsel Mr. Nitin Chaudhary and the Investigating Officer.

3. On the query made by this Court, respondent no.2/complainant has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that there is a persisting dispute between the petitioners and respondent no. 2 since a long time. However, it was alleged that on 28th October, 2014, the petitioner was kidnapped and beaten mercilessly by the petitioners, thereby leading to the registration of the aforesaid FIR against the petitioners.

5. With the intervention of family members and relatives, both the parties entered into settlement on 23rd January, 2024. The terms and conditions of the said settlement are mentioned in the settlement agreement which is annexed as Annexure A-1 to the petition.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise as per the Judgment of the Hon’ble Supreme Court passed in ***Gian Singh vs. State***



of Punjab, (2012) 10 SCC 303. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. *Per contra*, learned APP for the State submitted that there is no opposition to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 1307/2014 registered at Police Station - Madhu Vihar, Delhi for offences punishable under Sections 323/365/342/506/34 of the IPC and consequent proceedings emanating therefrom are quashed.

10. The petition along with pending application(s) stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 5, 2024

Rt/mk

Click here to check corrigendum, if any