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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2393/2022**
SH CHANDER PRAKASH GROVER

..... Petitioner

Through: Mr.Vivek Malhotra, Adv. along
with petitioner present in
person.

versus

STATE & ORS.

..... Respondents

Through: Ms.Priyanka Dalal, APP.
SI Rajat Khaiwal, PS PV East.
Mr.Neeraj P. Singh, Adv. for R-
3 to R-6.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
31.01.2024

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1. 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.09/2011 registered at Police Station: Paschim Vihar, West District, Delhi under Sections 304A of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.
2. The learned counsels for the parties submit that the parties have entered into a Memorandum of Settlement dated 03.05.2022.
3. The respondent no.3 appears virtually and has been duly identified by the Investigating Officer (IO). The respondent nos.4 to 6 are minors. The respondent no.3 reaffirms that she has settled all the



disputes with the petitioner of her own free will and without any coercion. The respondent no.3 submits that she does not wish to pursue the complaint filed against the petitioner anymore and has no objection if the subject FIR is quashed.

4. The petitioner, who appears in person, submits that he is ready and willing to pay another sum of Rs. 2,00,000/- (Rupees Two Lakhs Only), over and above the settlement amount of Rs.5,00,000/- that has been mentioned in the Settlement Deed dated 03.05.2022 between the parties.

5. I have perused the contents of the FIR as also the settlement that has been arrived at between the parties.

6. Keeping in view the nature of the accusations in the FIR and the fact that the petitioner has settled the claims of the Legal Heirs of the deceased, 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.

7. 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 3, 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 subject FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. FIR No.09/2011 registered



at Police Station: Paschim Vihar, West District, Delhi under Sections 304A of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner pays another sum of Rs.2,00,000/- to the respondent no.3, through her counsel, within a period of two weeks from today. The petitioner shall deposit the proof of payment with the Registry of this Court within the above said period, and also supply a copy thereof to the IO. In case the copy of the proof of payment to the IO is not supplied, the IO shall ensure that a request is made for relisting of this petition before this Court.

NAVIN CHAWLA, J

JANUARY 31, 2024/rv/AS

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