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

+ **W.P.(CRL) 1602/2023**

TOUFEEQ KHAN

.....Petitioner

Through: Mr.Harvir Singh, Advocate with
petitioner in person

versus

THE STATE (GOVT. OF NCT OF DELHI) AND ANR.

.....Respondents

Through: Mr.Yasir Rauf Ansari, ASC for State
with Mr.Alok, Mr.Vasu and Ms.Pragya, Advocates
with SI Virender
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.12.2024

1. The present petition has been filed seeking quashing of FIR No.404/2022 registered under Sections 279/338 IPC and Sections 146/196 MV Act at P.S. Kamla Market, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, respondent No.2 met with an accident from the vehicle of the petitioner.
3. Learned APP for the State submits that in the present case, the petitioner is the only accused and respondent No.2 is the complainant/victim. He further submits that considering the serious nature of averments/allegations and that the incident has taken place at a public place and since the State machinery has been put in use, the petitioner be saddled with some costs.



4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Settlement Award dated 31.01.2023 before Tis Hazari Courts, Delhi passed in MACT No. 972/2020 and further submits that in the MACT proceedings, the petitioner has already deposited a sum of Rs.1,02,000/- out of which Rs.22,000/- has already been released to the injured/respondent No.2 it was stated that Rs.80,000/- would be paid to injured/respondent No.2 at the time of quashing of the FIR. Learned counsel undertakes that the necessary steps for release of the remaining amount in favour of the injured/respondent No.2 would be taken at the earliest and the petitioner would cooperate in the same and in terms of the settlement, respondent No.2 is now left with no claim or grievance whatsoever against the petitioner.

5. The petitioner, who is present in the Court, has been identified by his counsel as well as by the concerned Investigating Officer. Respondent No.2, who is present in the Court, has also been identified by the concerned Investigating Officer.

6. The petitioner has shown remorse for his conduct, and he undertakes not to repeat the same in future. Respondent No.2 states that she has entered into the aforesaid Settlement Award out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed subject to release of the aforesaid amount.

7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements and undertaking made in Court today.



9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed subject to release of the aforesaid amount in favour of the injured/respondent No.2 and subject to payment of cost of Rs.10,000/- by the petitioner to be deposited with 'Avlamban Fund Scheme 2024' (State Bank of India, Tis Hazari Branch, Delhi, Account No. 43599660056; IFSC SBIN0000726 & MICR Code 110002126) within a period of four weeks from today.

10. Proof evidencing receipt of deposit shall be filed with the I.O. In case the receipt of payment of cost is not filed within the stipulated time, the I.O. shall be at liberty to move an appropriate application.

11. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

DECEMBER 9, 2024

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