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

+ **W.P.(CRL) 1210/2024 & CRL.M.A. 11722-23/2024**

MANISH TOKAS & ANR.

..... Petitioners

Through: Mr. Amar Panwar, Advocate

versus

STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Rupali Bandhopadya, ASC for
the State with SI Jeniffer Lalnun
Thieng, P.S. R.K. Puram.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

30.04.2024

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CRL.M.A. 12881/2024 (for early hearing)

1. The instant application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking early hearing of the present petition.
2. For the reasons mentioned in the application, the same stands allowed. The matter is taken up today.
3. Application stands disposed of.

W.P.(CRL) 1210/2024

4. The instant petition under Article 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 397/2016, registered at Police Station R.K. Puram, Delhi for the offences



punishable under Sections 323/452/506/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.

5. Issue notice. Ms. Rupali Bandhopadya, learned ASC accepts notice on behalf of State.

6. All petitioners are present before this Court and have been identified by their counsel Mr. Amar Panwar, Advocate and Investigating Officer (IO) SI Jeniffer Lalnun Thieng from Police Station R.K. Puram, Delhi.

7. Brief facts of the present case are that on 10.09.2016, on the basis of complaint made by the respondent no. 2, an FIR bearing no. 397/2016 dated 10.09.2016 got registered with Police Station R.K. Puram, Delhi for the offences punishable under Sections 323/452/506/34 of IPC against the petitioners. On 28.02.2024, the petitioners and respondent no.2 with the intervention of family and friends and consent of both the parties mutually settled the dispute between themselves and in CC No. 12862/2018 pending before the learned Trial Court have also compounded the offence under Section 323/506/34 of IPC and sought time to file quashing petition before this Court. On 28.02.2024, during the pendency of the case, both the parties have amicably settled all their disputes Memorandum of Understanding (MoU) dated 05.03.2024.

8. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties *vide* Memorandum of Understanding (MoU) dated 05.03.2024. Respondent no. 2 further stated that he has no objection, if the FIR is quashed.



9. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 397/2016, registered at Police Station R.K. Puram, Delhi for the offences punishable under Sections 323/452/506/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to petitioners depositing a sum of Rs. 10,000/- with Advocates Welfare Fund, Patiala House Court, Delhi within ten days.

11. In view of above, the present petition along with pending applications stands disposed of.

12. The next date of hearing i.e. 18.07.2024 stands cancelled.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 30, 2024/zp

Click here to check corrigendum, if any