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

+ CRL.M.C. 5384/2023 & Crl.M.A.10367/2024

RAHUL RAO

.....Petitioner

Through: Mr. Prakhar Bhatnagar, Advocate

versus

STATE (GOVT OF NCT DELHI) AND ORS.Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Jaiveer Kumar
Respondent No.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

03.12.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 has been filed on behalf of the petitioner seeking quashing of FIR No. 43/2022 registered at Police Station - Palam Village, Delhi for offences punishable under Sections 279/304A of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The petitioner is present before this Court and has been identified by the Investigating Officer. The respondent No.2 and 3 are also present in the Court and has been identified by the Investigating Officer.

3. The brief facts of the case are that on 15th January, 2022, the petitioner's car collided with a car of one Mr. Sonu Grewal, which resulted in the death of one Mr. Ravinder. Hence, the aforesaid FIR was registered against the petitioner.



4. Learned counsel for the parties submitted that the settlement was arrived between the petitioners and the respondent no. 2 and 3 vide Memorandum of Understanding dated 28th July, 2023 (hereinafter “MoU”) The terms and conditions of the said settlement are mentioned in the MoU which is annexed as Annexure P/5 to the instant petition.

5. It is further submitted that an award of Rs. 15,90,000/- has been awarded by the learned Judge, Lok Adalat vide order dated 12th November, 2022 in MACT No. 429/2022.

6. It is submitted that respondent no.2 and 3 have settled all her claims in respect of claims of past, present and future compensation with the petitioner for a sum of Rs. 1,10,000/- and all disputes of any nature whatsoever. The said amount has been paid in the form of two Demand Drafts bearing nos. 000654 and 000655 for an amount of Rs. 55,000/-, each, dated 7th November, 2024 in the name of respondents no. 2 and 3 today in the Court. The respondent no.2 and 3 have verified the particulars of the Demand Draft to her satisfaction and stated them to be correct.

7. On the query made by this Court, respondent no.2 and 3 have categorically stated that they have entered into compromise on their 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.

8. 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**.

9. Learned APP appearing on behalf of the State submitted that there is no opposition to the prayer made by the petitioner seeking the quashing of



the FIR in question in view of the settlement arrived at between the parties.

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

11. Keeping in view the fact that parties have settled the matter, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 43/2022 registered at Police Station Palam Village, under Sections 279/304A of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner, are quashed.

12. Accordingly, the instant petition along with pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 3, 2024
SV/MK

Click here to check corrigendum, if any