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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1608/2024

HITABHILASHI GUPTA AND ORS Petitioners

Through: Ms. Dolly Goswami, Adv.
(through VC)
Mr. Amit Kumar Sharma,
Adv.
All the petitioners in
person.

versus

THE STATE NCT OF DELHI AND ANR..... Respondents

Through: Mr. Anand V. Khatri, ASC
for the State with IO/ASI
Pawan, PS North Rohini.
Mr. Kapil Jarwal and Mr.
Dalip Garg, Adv.
R-2 (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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20.05.2024

CRL.M.A. 15658/2024 (exemption from filing certified copy of the annexures and fair typed copy of dim and less margin annexures)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No. 244/2024 dated 14.04.2024, for offences punishable under

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Sections 323/341/34 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station North Rohini, including all consequential proceedings arising therefrom. The said FIR was registered on a complaint filed by Respondent No. 2.

4. It is averred that the parties are neighbours and a scuffle took place between the parties, on the issue of some garbage being present in front of the house of Respondent No.2, due to which the Respondent No.2 sustained injuries.

5. The present petition is filed on the ground that the matter is amicably settled between the parties by way of Settlement Deed dated 15.05.2024, on their own free will, without any threat, force, coercion, misrepresentation or influences.

6. The petitioners are present in person in Court. Respondent No. 2 has joined the proceedings through video conferencing. The parties have been duly identified by the Investigating Officer.

7. The petitioners unconditionally apologize for their behaviour. They also undertake not to indulge into any such activity in future. The parties, being neighbours, the petitioners state that they would live in peace and harmony with the complainant, in future.

8. Respondent No.2, on being asked, states that he does not wish to pursue the proceedings arising out of the present FIR, and has no objection if the proceedings are quashed.

9. Offences under Sections 323/341 of the IPC are compoundable in nature.

10. Keeping in view the aforesaid principle, the nature of the dispute and the fact that the parties have amicably entered into a settlement, this Court feels that no purpose would be served by



relegating the parties to the concerned Trial Court for filing an application to compound the offence.

11. However, keeping in mind the fact that the State machinery has been put to motion, ends of justice would be served if the petitioners are put to cost.

12. In view of the above, FIR No. 244/2024 and all consequential proceedings arising therefrom are quashed, subject to payment of cost of ₹10,000/- by the petitioners, to be deposited with the Delhi Police Welfare Society within a period of eight weeks.

13. Let the proof of deposit of cost be submitted before the concerned SHO.

14. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MAY 20, 2024

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