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

+ **W.P.(CRL) 1651/2024**

PREMUDDIN & ORS.

.....Petitioners

Through: Mr.Mohd. Naseem Khan, Mr.Kamil Khan, Advts. with petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Ms.Nandita Rao, ASC (Crl.) for the State with MR.Amit Peswani, adv. SI Kumher Singh, PS Pul Prahaladpur, New Delhi. Mr.Mohd. Yahya, Mr.Fahad Siddiqui, Mr.Akrar M.Khan, Advts. with respondent no.2 to 4 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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17.09.2024

CRL.M.A. 16097/2024 (exemption)

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 1651/2024

1. The amended memo of parties has been handed over in court today.
The amended memo of parties is allowed to be taken on record.
2. The present petition has been filed for quashing of case FIR no.158/2024 dated 16.04.2024 registered under Section



323/341/452/506/34 IPC at PS Pul Prahalad Pur and all the other proceedings emanating therefrom.

3. Learned counsel for the petitioner submits that on 12.04.2024 an altercation took place between the Petitioner and the Complainant over the car parking outside the house of the Complainant which lead to the Complainant filing FIR bearing No. FIR no.158/2024 dated 16.04.2024 registered under Section 323/341/452/506/34 IPC at PS Pul Prahalad Pur against the Petitioner. However after the intervention of the common friends and well wishers the parties have arrived at amicable settlement vide MOU dated 17.05.2024.
4. Now the parties have settled the dispute vide MOU dated 17.05.2024 on the following terms and conditions:

“And whereas it has been further agreed that both the parties shall appear before the Ld. SEM, South East, Sarita Vihar, New Delhi on the date fixed i.e. 27.5.2024 in a Kalandra U/s.107/151 Cr.P.C. vide DD No.10A dated 13.04.2024 and shall make their respective statements with regard to the settlement before the Ld. SEM and shall pray for disposal of the said Kalandra on the ground of compromise.

And whereas it is agreed that both the parties shall maintain peace and tranquility and they shall not repeat any such incidents and they shall live with peace and harmony. It is also agreed that both the parties are left with no grievances against each other, whatsoever nature. It is agreed between the parties that both the parties shall move petition for quashing of aforesaid respective FIR registered against second party before Hon'ble High Court of Delhi and both the parties shall co-operate/assist each other in getting the said FIR quashed and both the parties shall sign their respective affidavits / no objection and shall appear and do whatever required in order to get present FIR quashed as well as all the proceedings emanating therefrom before the Hon'ble High



Court.

And whereas the matter have been amicably resolved/settled between the parties and the first and second party are living peacefully without any animosity and he does not want to pursue further against the first party in the aforesaid FIR

And whereas the contents of the present MOU have been read over and explained to both the parties in vernacular and they have put their respective signatures out of their free will and consent and without any pressure, threats, force, coercion or undue influence from any corner whatsoever.”

5. The complainant/respondent no.2 states that she has settled the matter with her own free will without any fear, force or coercion. IO has identified the parties.
6. In the case of ***Ramgopal and Anr. v. The State of Madhya Pradesh*** (CRL.A. No. 1489 of 2012), dated 29.09.2021, the Supreme Court *inter alia* held that FIRs can be quashed in cases where the dispute is personal or civil in nature and does not affect public law or societal interests. This ruling aims to prevent unnecessary litigation, especially in private matters. The Court emphasized the value of promoting harmony through settlements in disputes such as matrimonial or property issues. However, it clarified that serious crimes like murder or rape, which have wider societal implications, cannot be quashed through private settlements. This distinction ensures that public interest is upheld in cases of grave offenses.
7. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully.



No purpose will be served in continuing with the trial.

8. In view of the settlement, the FIR no.158/2024 dated 16.04.2024 registered under Section 323/341/452/506/34 IPC at PS Pul Prahalad Pur and all the other proceedings emanating therefrom are quashed.
9. The petition stands disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 17, 2024

rb/dg