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

+ **CRL.M.C. 4371/2024**

VIJAY KUMAR BARANWAL

..... Petitioner

Through: Mr. Satyam Thareja, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Raghuvinder Verma, APP for the
State with SI Kanish Rana, P.S.
Laxmi Nagar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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27.05.2024

CRL.M.A. 16582/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 4371/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no. 1729/2014, registered at Police Station Shakarpur, Delhi for the offences punishable under Sections 279/338 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Issue notice. Mr. Raghuvinder Verma, learned APP accepts notice on behalf of State.



5. Petitioner is present before this Court and has been identified by his counsel Mr. Satyam Thareja and Investigating Officer (IO) SI Kanish Rana from Police Station Shakarpur, Delhi.

6. Brief facts of the present case are that the FIR bearing no. 1729/2014, P.S. Shakarpur was registered at instance of respondent no. 2/complainant who was injured in a road traffic incident on 26.08.2014 at about 10:00AM near the turn towards Akshardham Mandir before Laxmi Nagar Flyover. During August, 2014 to November, 2014, the investigating agency had pursued investigation into car having registration No. DL 8 CK 4614. In November, 2014, the investigating agency dropped investigation into car having registration No. DL 8 CK 4614 and has started investigation into car having registration No. DL 6 CK 4614 which was owned/driven by petitioner in 2014. It is stated that chargesheet in this case has been filed. On 03.03.2016, the learned Trial Court had taken prima facie view against the petitioner vide order dated 03.03.2016. The notice was framed against petitioner for offences under Sections 279/338 of Indian Penal Code, 1860 ('IPC'). On 01.08.2017, The learned Sessions Judge had allowed revision petition against order dated 03.03.2016 and directed learned Trial Court to reconsider the matter. On 27.04.2024, both the parties have amicably settled all their disputes before Delhi Mediation Centre, Karkardooma Courts, Delhi *vide* Settlement Agreement dated 27.04.2024.

7. 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.



8. Today, the complainant who is present in Court states that he has received an amount of Rs. 40,000/- today i.e. on 27.05.2024 through Paytm as Second and last installment from the petitioner herein in compliance of Settlement Agreement dated 27.04.2024 and 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. 1729/2014, registered at Police Station Shakarpur, Delhi for the offences punishable under Sections 279/338 of IPC and all consequential proceedings emanating therefrom are quashed.

11. In view of above, the petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 27, 2024/zp

Click here to check corrigendum, if any