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

+ **W.P.(CRL) 2355/2023**

YOGESH KUMAR

.....Petitioner

Through: Mr. Puneet Singh Ahlawat, Advocate.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma and Mr.
Vasu Agarwal, Advocates.
Mr. Piyush Malik, Advocate for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

01.08.2024

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1. The present Petition under Article 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure (*hereinafter referred to as 'Cr.P.C, 1973*), has been filed jointly on behalf of the petitioner and the respondent No. 2, namely, Smt. Darshan Devi, seeking quashing of FIR No. 0298/2023 dated 25.07.2023, registered at Police Station Chhawla, New Delhi, for the offence punishable under Sections 279/337 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*).
2. Issue notice.
3. Mr. Yasir Rauf Ansari, learned ASC accepts notice on behalf of the State.
4. On 24.07.2023, in the evening, around 7:00 p.m, the accident took



place between the petitioner and the respondent No. 2. The respondent No. 2 fell down suddenly and the petitioner failed to stop his car even after applying emergency break as the road has been uneven cracking patches. Injured is above 70 years of age. It was hard for an old lady to cross the road during late evening. The petitioner took the respondent No. 2, to the hospital where she was treated.

5. On 25.07.2023, on the complaint of respondent No. 2, FIR No.0298/2023 under Sections 279/337 of the IPC, registered at Police Station Chhawla, New Delhi.

6. It has been submitted that the matter has been amicably settled between the respondent No.2/injured and the petitioner. The Memorandum of Understanding/Settlement dated 28.07.2023, is already on record. As per the terms of the Settlement, the petitioner will bear all the medical expenses of the injured; the respondent No. 2/injured will withdraw the complaint against the petitioner. The petitioner has been given Rs.1,00,000/- as full and final. The compensation has already been received by the injured. A request for quashing of the FIR has been made on account of the Memorandum of Understanding/Settlement *inter se* the parties. In view of the settlement, the present Petition has been filed.

7. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

8. Today, the complainant, who is present in Court states that she has received all the amount due to her and has no objection, if the FIR is quashed.

9. In view of the above facts that the parties have amicably resolved



their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR No. 0298/2023 dated 25.07.2023, registered at Police Station Chhawla, new Delhi, for the offences punishable under Sections 279/337 of the IPC and all consequential proceedings emanating therefrom are quashed.

11. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 1, 2024/RS