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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4115/2022**
SURENDER KR. GARG AND ORS

..... Petitioners

Through: Mr.Sourav Goel, Adv. with
petitioners in person.

versus

THE STATE GOVT NCT OF DELHI AND ANR

..... Respondents

Through: Ms.Priyanaka Dalal, APP.
SI Naresh & ASI Manoj
Kumar, PS Dabri.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.01.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0436/2022 registered at Police Station: Dabri, Dwarka-District, New Delhi, under Sections 308/34 of the Indian Penal Code, 1860 (in short, 'IPC') on the basis of a settlement.
2. The allegations against the petitioners are when the complainant confronted the petitioners on certain building material (cement) falling on him, they gave him a beating and attacked him with a brick.
3. The parties, that is, the petitioners and the respondent no.2, have settled their *inter se* disputes and have executed a Memorandum of Understanding / Settlement dated 24.05.2022.
4. The respondent no.2 is present in person in court and has been



duly identified by the Investigating Officer (IO). He affirms the settlement between the parties and states that he has no objection to the FIR and consequential proceedings being quashed by this Court.

5. I have perused the contents of the FIR and also the Status Report filed by the respondent/State.

6. As the disputes between the parties have been amicably settled and looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would lead to further wastage of time not only of the prosecution but also of the Courts.

7. In view of the above and guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.* and (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. FIR No.0436/2022 registered at Police Station: Dabri, Dwarka-District, New Delhi under Sections 308/34 of the IPC and all consequential proceedings emanating therefrom *qua* the petitioners are quashed, subject to the condition that the petitioner no.1 deposits costs of Rs.10,000/- with the Delhi State Legal Services Authority within a period of two weeks from today. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the Acid Attack



Victims requiring such assistance.

9. The petitioner no.1 shall file, with the Registry of this Court, proof of deposit of the above costs and also supply a copy thereof to the concerned IO, within the abovesaid period.

10. The petition is allowed in the above terms.

NAVIN CHAWLA, J

JANUARY 22, 2024/rv/ss

Click here to check corrigendum, if any