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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **CRL.M.C. 4521/2024**

MANSHU BANSAL & ORS.Petitioners

Through: Mr. Paripoorn Singh and
Mr. Abhinav Bishnoi,
Advts. with the petitioners
in person.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Ms. Kiran Bairwa, APP
for the State with SI
Shubham Saini, PS NFC,
Delhi.
Ms. Radhika Goel, Adv.
for R-2.
R-3 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

09.12.2024

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1. The present petition is filed seeking quashing of FIR No. 12/2018 dated 18.01.2018, registered at Police Station New Friends Colony, for offences under Sections 323/325/506/34 of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom.

2. Chargesheet has been filed in the present case.

3. The said FIR was registered on a complaint filed by Respondent No. 2. It is alleged that on 01.01.2018, at around 5:10 pm, Petitioner No. 1 approached the house of Respondent No. 2 and threw a brick at his car. It is alleged that thereafter when the servant of Respondent No. 2, that is, Respondent No. 3, objected to the same, Petitioner No. 1 started abusing and beating him. Thereafter, Petitioner No.1 was also joined by his family

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members being Petitioner No. 4. It is alleged that all the petitioners abused and gave beatings to Respondent No. 3. It is alleged that thereafter when Respondent No. 2 intervened in order to rescue Respondent No. 3, he too was beaten at the hands of the petitioners. It is further alleged that as a result of the beatings, Respondent No. 2 sustained injuries.

4. The present petition is filed on the ground that the matter has amicably been settled between the parties and that they have also entered into a Memorandum of Settlement dated 16.05.2024, of their own free will, without any force, pressure, coercion and/or undue influence.

5. The petitioners and Respondent No. 3 are present in person in Court and have been duly identified by the Investigating Officer.

6. Respondent No. 2 had appeared in person on 29.05.2024. Today, Respondent No. 2 is represented through the learned counsel who appears on behalf of him. A duly sworn affidavit of Respondent No. 2 has also been placed on record, deposing that the parties have settled their disputes in terms of Memorandum of Settlement dated 16.05.2024.

7. The FIR indicates that Respondent No. 3 had also got injured during the altercation which forms the subject matter of the present FIR. He was impleaded as Respondent No. 3 in the present petition.

8. A Banker's Cheque No. 729819 dated 07.12.2024 drawn on Bank of India, for a sum of ₹15,000/- has been handed over to Respondent No. 3 in Court today.

9. On being asked, Respondent No. 3 states that he has received a sum of ₹15,000/- as compensation and he is satisfied



with the same. He states that he does not wish to pursue any proceeding arising out of the present FIR.

10. Offences under Sections 323/325/506 of the IPC are compoundable in nature.

11. 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 learned Trial Court for filing an application to compound the offence.

12. 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.

13. In view of the above, FIR No. 12/2018 and all consequential proceedings arising therefrom are quashed, subject to payment of total cost of ₹30,000/- by the petitioners (₹7,500 by each petitioner) to be deposited with the Delhi Police Welfare Society within a period of eight weeks from date.

14. Let the proof of deposit of cost be deposited with the concerned SHO.

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

AMIT MAHAJAN, J

DECEMBER 9, 2024

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