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

+ **W.P.(CRL) 2446/2023**

NISHANT & ORS.

..... Petitioners

Through: Mr. Pradeep Teotia, Advocate

versus

THE STATEGOVT. OF N.C.T. OF DELHI & ORS. Respondents

Through: Mr. Rahul Tyagi, ASC for the State
with Ms. Priya Rai, Mr. Sangeet
Sibou, Mr. Jatin, Mr. Mathew Phillip,
Advocates and SI Satish Singh, P.S.
Shakarpur

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
05.03.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*'Cr.P.C'*) has been filed on behalf of petitioners seeking quashing of FIR bearing no. 365/2023 registered at Police Station Shakarpur, Delhi for offence punishable under Sections 308/323/34 of Indian Penal Code, 1860 (*'IPC'*) and all other proceedings emanating therefrom.
2. Issue notice. Mr. Rahul Tyagi, learned ASC accepts notice on behalf of the State.
3. Petitioners are present before this Court and have been identified by their counsel Mr. Pradeep Teotia and Investigating Officer (IO) SI Satish Singh from Police Station Shakarpur, Delhi.



4. Brief facts of the present case are that a quarrel took place between the parties in which respondent nos. 2 and 3 sustained injuries. On the complaint of respondent no. 2, an FIR bearing no. 365/2023 was registered at Police Station Shakarpur, Delhi, for offence punishable under Sections 308/323/34 of IPC against the petitioners. It is stated that during the investigation of the present case, petitioners and respondent nos. 2 and 3 have settled all their grievances and to this effect a compromise deed dated 13.06.2023 was executed between the parties.

5. On a query made by this Court, respondent nos. 2, who has been identified by the IO state that he has lodged the present FIR under some misunderstanding. Respondent nos. 2 and 3 have categorically stated that they have settled all disputes with petitioners in an amicable manner out of their own free will and without any pressure, coercion or threat. The respondent nos. 2 and 3 further state that they have no objection, if the FIR is quashed.

6. In view of the above facts that the parties have amicably resolved their differences out 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.

7. Accordingly, FIR bearing no. 365/2023 registered at Police Station Shakarpur, Delhi for offence punishable under Sections 308/323/34 of IPC subject to petitioners depositing a sum of Rs.5,000/- each and complainants depositing a sum of Rs.5,000/- each with Advocates Welfare Fund,



Karkardooma Courts, Delhi within ten days and all consequential proceedings emanating therefrom are quashed.

8. In view of above, the present petition stands disposed of.
9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 5, 2024/ns

[Click here to check corrigendum, if any](#)