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

+ CRL.M.C. 4525/2022

SANDEEP MAL

..... Petitioner

Through: Mr.Pranjal Kr. Bhaskar, Adv.

versus

STATE GNCT OF DELHI AND ANR Respondents

Through: Mr. Shoaib Haider, APP with
SI Arun, Anti Narcotics Squad,
South East District, SI
Shubham PS Hzt Nizamuddin.
Mr.Amit Rana, Mr.Divyanshu
Phate, Mr.Aman Awasthi,
Advs. for R-2 with R-2

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

23.02.2024

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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.121/2019 registered at Police Station: Hazrat Nizamuddin, South-East District, New Delhi, under Sections 279/304-A of the Indian Penal Code, 1860 (in short, 'IPC') read with Sections 3/181/146/196 of the Motor Vehicles Act, 1988, along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioner submits that the deceased was a relative of the petitioner and the unfortunate accident occurred when he was sitting as a pillion rider on the scooty being driven by the petitioner. He submits that the parties have now amicably settled their *inter se* disputes and have entered into a settlement vide Settlement



Agreement/Compromise dated 27.05.2022 before Mediation Cell, Saket Courts, New Delhi. He submits that the petitioner has already paid Rs.50,000/- to the respondent no.2 pursuant to the settlement.

3. The respondent no.2, who is personally present in Court and has been duly identified by the Investigating Officer (IO), reaffirms the settlement and states that she has settled all the disputes with the petitioner out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and also the settlement between the parties.

5. Keeping in view the fact that the parties are related to each other and that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. 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 Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, 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.



7. Accordingly, the petition is allowed. FIR No.121/2019 registered at Police Station: Hazrat Nizamuddin, South-East District, New Delhi, under Sections 279/304-A of the IPC read with Sections 3/181/146/196 of the Motor Vehicles Act, 1988 and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

FEBRUARY 23, 2024/Arya/AS

Click here to check corrigendum, if any