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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4702/2024

ABHIJIT ARORA

.....Petitioner

Through: Mr. Satyam Thareja, Ms. Vasundhara
Nagrath, Ms. Kusum Lata and Mr.
Pratyaksh Sikodia, Advs.

Versus

STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Sachin Panwar, PS
Fatehpur Beri.
Mr. Rajveer Nanwal, Ms. Vandna
Parjapat, Mr. Kuldeep Kumar, Mr.
Shankar and Mr. Naresh Kumar Sah,
Advs. for R-2 with R-2.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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26.07.2024

CRL.M.A. 17576/2024 (Exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4702/2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of case FIR No. 0194/2016, registered at PS Fatehpur Beri under Sections 279/337 IPC and proceedings emanating therefrom.
2. The perusal of FIR reveals that the petitioner was driving the



offending vehicle Honda City car No. DL-7CF-6618, hit the petitioner, who was standing on his motorcycle no. DL-3SDC-1462. After investigation, the chargesheet was filed under Section 279/338 IPC and 146/196 of M.V. Act. However, now the parties have entered into a settlement at Mediation Centre, Saket Court, Delhi dated 23.04.2024. Vide this settlement, M.V.ACT petition has also been settled.

3. I have gone through the settlement deed dated 23.04.2024 which has been placed on record. The settlement agreement provides for the following terms and conditions:

1. It is agreed between the parties that the Second Party shall pay total amount of Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand Only), to the First Party towards full and final settlement amount in respect of present matter.

2. It is further agreed between the parties that the above-mentioned settled amount of Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand Only) shall be paid by the Second Part to the First party before the Hon'ble High Court of Delhi at the time of hearing of petition under Section 482 Cr.P.C. for quashing of FIR No.194/2016, PS Fatehpur Beri by way of Demand Draft.

3. It is further agreed between the parties that First Party will have no objection if (any) money deposited by the Second Party before Saket District Court or Hon'ble High Court of Delhi in relation to the connected matters is withdrawn by/refunded to the Second Party. It is acknowledged by the First Party that he has not withdrawn any money deposited by Second Party in relation to connected matters.

4. It is further agreed between the parties that the Second Party will move an appropriate application for disposal of connected matter pending before the Hon'ble High Court of Delhi in view of this settlement and the First Party shall cooperate for the same.



5. *It is further agreed that upon receipt of full and final payment of settled amount, as above, nothing shall remain due between the parties in respect of the present case and they shall not file any case (civil or criminal)/complaint regarding the same.”*

4. The petitioner has handed over five demand drafts totalling to Rs. 7,50,000/- i.e. (1) bearing no. 826169, of Rs. 1,70,000/-, (2) bearing no. 826171 of Rs. 1,50,000/-, (3) bearing no. 826175 of Rs. 1,25,000/-, (4) bearing no. 826166 of Rs. 1,80,000/- and (5) bearing no. 826176 of Rs. 1,25,000/-, all drawn on UCO Bank, Faridabad, Sector-28 Branch.

5. The Supreme Court in, ***Ramgopal and anr. V. The State of Madhya Pradesh***, CRL.A. No. 1489 of 2012, dated 29.09.2021, *inter alia* held that FIRs can be quashed in cases where the dispute is personal or civil in nature and does not impact public law or societal interests, to avoid unnecessary litigation. The Apex Court emphasized that promoting harmony through settlements in private disputes, such as matrimonial or property matters, is beneficial. However, it reaffirmed that serious crimes like murder or rape, which have broader societal implications, cannot be quashed based on a settlement between parties.

6. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 submits that he has entered the settlement voluntarily without any fear, force, or coercion and further submits that she has no objection if FIR No. 0194/2016, registered at PS Fatehpur Beri under Sections 279/337 IPC and proceedings emanating therefrom, is quashed.

7. In view of the above, case FIR No. 0194/2016, registered at PS Fatehpur Beri under Sections 279/337 IPC and proceedings emanating



therefrom, is quashed.

8. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

JULY 26, 2024/akc