



\$~31

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

+ CRL.M.C. 4776/2024 & CRL.M.A. 17867/2024 (Stay), CRL.M.A. 17868/2024 (Exemption)

NAVEEN KUMAR

..... Petitioner

Through: Mr. Shivang Gupta, Advocate
alongwith petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Amit Ahlawat, APP for the State.
SI Raj Kumar, PS Tughlak Road.
Mr. Deepak Bhatt, Advocate for R-2
and 3 alongwith R-2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

31.05.2024

%

1. The present petition filed under Section 482 of the Cr.P.C. read with Article 227 of the Constitution of India seeks quashing of the FIR No. 37/2024, under Sections 279/506 of the IPC and Section 185 of the Motor Vehicles Act, registered at P.S. Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isha Singh, learned Metropolitan Magistrate, Patiala House Courts, Delhi.

2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings parties have settled their dispute *vide* memorandum of understanding dated 06.04.2024 and in pursuance of the same respondents no. 2 and 3 have no objection if the



present FIR is quashed against the petitioner. The copy of the aforesaid memorandum of understanding dated 06.04.2024 is on record (Annexure P-2). It is further submitted that respondent no. 2 is the driver of the vehicle and complainant in the present FIR and respondent no. 3 is the registered owner of the car.

3. Petitioner and complainant/respondent no. 2 and 3 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Raj Kumar, PS Tughlak Road.

4. The complainant/respondent No.2 and 3 states that the matter has been settled with the petitioner and they have no objection if the FIR is quashed.

5. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

7. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present the FIR No. 37/2024, under Sections 279/506 of the IPC and Section 185 of the Motor Vehicles Act, registered at P.S.



Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isha Singh, learned Metropolitan Magistrate, Patiala House Courts, Delhi.

8. In the interest of justice, the petition is allowed, and the FIR No. 37/2024, under Sections 279/506 of the IPC and Section 185 of the Motor Vehicles Act, registered at P.S. Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isha Singh, learned Metropolitan Magistrate, Patiala House Courts, Delhi, is hereby quashed subject to cost of Rs.50,000/- to be paid by the petitioner with New Delhi Bar Association Members Welfare Fund (A/c No. 18580110013847), within a period of 7 working days from today.

9. Petition is allowed and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 31, 2024/sn

Click here to check corrigendum, if any