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

+ W.P.(CRL) 2623/2023

SHAHIN @ SONU

.....Petitioner

Through: Mr. R.K.L.Choudhary, Mr. Ansh
Tomar & Mr. Prashant Kaushik,
Advocates with petitioner in person.

versus

THE STATE AND ANOTHER

.....Respondents

Through: Ms. Nandita Rao, ASC, Crl. with Mr.
Amit Peswani, Advocates for State.
Respondent No. 2 in person.
S.I. Robin Kumar Vimal, PS Shastri
Park, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **24.07.2024**

1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioner seeking to quash the FIR No. 594/2023 registered under Section 307 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) and Sections 25/27 of the Arms Act at Police Station Shastri Park, Delhi.
2. It is submitted in the petition that the accused and the respondent No. 2 are the real sisters and because of some misunderstanding, they had a fight and on the complaint of respondent No. 2, the aforesaid FIR got registered.
3. It is further submitted that the complainant in her supplementary statement has stated that there was no bullet injury caused to her but the injuries were inflicted through nails and beatings.
4. The Status Report dated 23.07.2024 has also been filed on behalf of



the State, wherein it is submitted that subsequent statement has been made by the complainant in supplementary statement where she has denied any gunshot injury having been inflicted on her on 09.08.2023 by the petitioner.

5. It is further submitted that the petitioner and the respondent No. 2 have amicably settled all the disputes and differences between them *vide* Memorandum of Understanding dated 11.08.2023 which *inter alia* states that: -

- (i) That this settlement between the petitioner and the respondent No. 2 shall be full and final and both the parties shall not file any case/complaint/suit/petition against each other,
- (ii) That the alleged incident which took place on 09.08.2023 leading to registration of FIR No. 594/2023 is false and concocted story made by the respondent No. 2 and she is not interested in pursuing the said FIR,
- (iii) That the petitioner shall have no relation between the respondent No. 2 and her family members in future,
- (iv) That the parties shall not fight with each other in future and shall peacefully live.

6. In view of the Memorandum of Understanding dated 11.08.2023, the present petition has been filed.

7. The petitioner and the respondent No. 2 are present before this Court in-person today, and they have been identified by their counsel and Investigating Officer concerned.

8. The parties have submitted that all the disputes have been amicably settled *vide* Memorandum of Understanding dated 11.08.2023 and thus, no fruitful purpose will be served in continuing with the FIR.



9. The present petition has been signed by the petitioner and is supported by affidavit of petitioner and the respondent No. 2. The parties have reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

10. Today, the complainant/respondent No. 2, who is present in Court, states that she has amicably settled all the disputes and has no objection if the FIR is quashed.

11. It may be noted that there is no recovery of any kind of weapon from the petitioner.

12. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

13. Moreover, there is no legal impediment in quashing the FIR in question.

14. Accordingly, FIR bearing No. 594/2023 registered at Police Station Shastri Park, Delhi, for offences punishable under Sections 307 of IPC, 1860 and Sections 25/27 of the Arms Act and all consequential proceedings emanating therefrom are quashed.

15. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 24, 2024

S.Sharma