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

+ **W.P.(CRL) 2714/2023**

VINAY@ BINNI

..... Petitioner

Through: Mr. Divyanand Jha, Advocate with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Rahul Tyagi, ASC with Ms. Priya
Rai, Mr. Sangeet Sibou & Mr. Jatin,
Advocates for State along with SI
Akash, P.S. Okhla Industrial Area,
Delhi.

Mr. Neeraj Kumar Jha, Advocate for
R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

28.02.2024

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1. The present writ petition under Article 226 of Constitution of India read with Section 482 of Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed by the petitioner seeking quashing of FIR bearing No. 0587/2023 registered at Police Station Okhla Industrial Area, South East Delhi, for the offences punishable under Section 324 of the Indian Penal Code, 1860 ('IPC').

2. Briefly stated, the case of the prosecution is that on 26.08.2023 at about 7:30 pm while the complainant was allegedly going to his home and on the way home he had seen the present petitioner manhandling an old



man. It is further alleged that upon seeing the old man being manhandled the complainant had intervened to stop the fight but he had also been beaten by the petitioner and had suffered injuries. Thereafter, the petitioner FIR was registered.

3. Further, a MOU cum Settlement has been made between the petitioner and respondent.

4. Learned Counsel appearing on behalf of the petitioner submits that the present FIR had been registered due to some misunderstanding between both the parties and that they have amicably settled the dispute and have entered into a settlement agreement dated 12.09.2023 which is placed on record. Therefore, in the interest of justice the present FIR along with all emanating proceedings thereof be quashed as prayed for.

5. Learned APP for the State on instructions from the Investigating Officer ('IO') submits that in the above noted FIR, there is only one petitioner and one complainant i.e., respondent no.2 herein.

6. This Court has heard arguments on behalf of both the parties and has perused the material placed on record.

7. The petitioner has been identified by his counsel Mr. Divyanand Jha.

8. The complainant is present in the Court and states that he has amicably resolved his differences on his own free will, and without any coercion, pressure or threat. The petitioner is also before this Court and affirms that such misbehaviour will not take place in future and has also shown remorse.

9. In this Court's opinion, no useful purpose will be served in continuance of the proceedings, thus, it would be in the interest of justice to quash the abovementioned FIR and the proceedings emanating thereof as



both the parties have entered into a MOU dated 12.09.2023 and have resolved their dispute.

10. Consequently, FIR bearing No. 0587/2023 registered at Police Station Okhla Industrial Area, South East Delhi for offences punishable under Section 324 of IPC and proceedings pursuant thereto are hereby quashed, subject to depositing the cost of Rs.5,000/- by the petitioner with Dwarka Court Bar Association, Dwarka Courts, Delhi within 10 days.

11. Copy of the receipts be also filed with the Registry to show compliance of the order and the receipts be provided to the concerned IO.

12. In view thereof, the petition stands disposed of in above terms, pending applications if any, also stands disposed of.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 28, 2024/hs

Click here to check corrigendum, if any