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

+ CRL.M.C. 4986/2024

NITIN GAUR

.....Petitioner

Through: Mr. Narendra Sharma, Mr. Kamal
Kant Sharma, Mr. Ravinder Singh
and Mr. Pawan Aggarwal, Advocates
with the petitioner.

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Satinder Singh Bawa, APP for
the State with S.I Shri Bhagwan,
P.S.K.M.Pur.
Mr. Vijendra Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

04.07.2024

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1. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed jointly on behalf of the petitioner and the respondent No. 2 seeking quashing of FIR No. 433/2017 dated 24.12.2017 registered at Police Station Mubarakpur, for offences punishable under Sections 279/337 of the Indian Penal Code, 1860 ('IPC').
2. Issue notice. Learned APP accepts notice on behalf of the State.
3. The petitioner injured the right leg of the respondent No. 2 by hitting him with his car bearing Registration No. UP14BA 6501 dated 24.12.2017.
4. It has been submitted that the matter has been amicably settled



between the injured and the petitioner, through mediation. The Mediation Settlement dated 15.02.2024 is already on record. The said matter was settled at Delhi Mediation Centre, 1st Floor, Utility Block, Saket, New Delhi. The petitioner has been given Rs.60,000/- as full and final and the offence under Section 338 has been compounded. The compensation has already been received by the injured. Rs.20,000/- was paid on 02.11.2023 and the remaining amount of Rs.40,000/- was paid on 28.05.2024 before the trial court. A request for quashing of the FIR has been made on account of the Settlement *inter se* the parties. In view of the settlement, the present Petition has been filed.

5. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

6. Today, the complainant who is present in Court states that he has received all the amounts due to him and has no objection, if the FIR is quashed.

7. Learned APP for the State has hereby clarified that though the FIR was registered under Sections 279/337 IPC but the charge sheet has been filed under Sections 279/338 IPC.

8. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing No. 433/2017 dated 24.12.2017 registered at Police Station Mubarakpur, for offences punishable under Sections



279/337 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom are quashed.

10. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 4, 2024/RS