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

+ **CRL.M.C. 5057/2024**

SHIV KUMAR & ANR.

.....Petitioners

Through: Mr Ashok Thagal and Ms. Jyoti
Madaan, Advocates.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Hemant Mehla, Ld. APP for State
with Insp. Dharmendra P.S. Harsh
Vihar.
Mr. A.K. Kashyap, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

04.09.2024

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1. A Petition under Section 482 Cr.P.C has been filed on behalf of the petitioners for quashing of FIR No.245/2016 dated 18.07.2016 under Section 392/411/34 IPC registered at Police Station Harsh Vihar.

2. Briefly stated on 18.07.2016 at about 08:30 P.M the petitioners were on their motorcycle and the respondent No.2 along with his nephew was also riding on his motorcycle in the locality. The vehicles of both the parties hit and an altercation took place between them. On the complaint of respondent No.2 an FIR No.245/2016 under Sections 392/411/34 IPC was registered against the petitioners at Police Station Harsh Vihar. On 28.11.2016 a Chargesheet was filed against the petitioners in the Court and the matter is



pending trial.

3. It is submitted that both the petitioners and respondent No. 2 have already sorted out their all differences with the intervention of their respected persons of the Society and they have left no grudge or grievance against each other in any manner whatsoever. Therefore, the Petition be quashed.

4. The parties are present in the Court and submits that essentially the petitioners were going on the motor-cycle when Parvesh was hit by some motor cycle and suffered injuries on his foot. Under the mistaken belief the petitioners have behanded the respondent No.2/complainant and snatched his motor-cycle and were taking it towards the police officials, when the nephew of respondent No.2 raised an alarm thinking them as the thieves and they were all apprehended on the spot. It is submitted by the parties that it was essentially a case of road rage and on account of misunderstanding on the part of the complainant, the FIR was registered. It is further submitted that the matter stands settled with the petitioners vide Settlement Deed dated 30.04.2024 and Rs.5,000/- as already been given as token by the petitioners to the complainant. It is further submitted that the Settlement has been arrived at between them without any pressure, force and coercion and that the parties undertake to abide by the terms of the Settlement dated 30.04.2024. The complainant has no objection if the FIR is quashed against the petitioners on account of the settlement already arrived at between the parties.

5. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

6. In view of the submissions made, the Petition is allowed.



Accordingly, the FIR bearing No. 245/2016 registered at Police Station Harsh Vihar, for offences punishable under Sections 392/411/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* the petitioners.

7. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 4, 2024/va