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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2790/2023**
RAJEEV @ PANKAJPetitioner

Through: Mr. Praveen Goswami & Mr. Sanjay Kumar, Advocates with petitioner in person.

versus

STATE & ANR.Respondents
Through: Mr. Amol Sinha, ASC, Crl. for State.
Mr. Vijay Chauhan, Advocate for R-2 with R-2 in person.
S.I. Vipin Shokeen, PS New Usmanpur, Delhi.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
12.07.2024

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1. The present Petition under Article 226 of the Constitution of India read with Section 482 of 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. 789/2019 registered under Section 307 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station New Usmanpur, Delhi.
2. Issue notice.
3. Mr. Amol Sinha, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
4. Mr. Vijay Chauhan, learned counsel appearing on advance notice, accepts notice on behalf of the respondent No. 2.



5. Brief facts of the case are that the petitioner and the respondent No. 2 are the real brother. The petitioner, who was drunk on 26.10.2019 at around 08:30 P.M., was asked by the respondent No. 2 to go to his house after drinking alcohol and not to abuse him. Thereafter, the petitioner started abusing the respondent No. 2, to which the respondent No. 2 slapped the petitioner. Thereafter, the petitioner returned to his house and went to the *chakki* shop and brought a knife from there and stabbed the petitioner in his chest on the left side, due to which, the respondent No. 2 started bleeding profusely, which the son of the petitioner, namely, Vinay and his friend Himanshu immediately took the respondent No. 2 to GTB Hospital on a motor cycle.

6. It is submitted that on the statement of respondent No. 2, an FIR No.789/2019 registered under Section 307 of IPC, 1860 had been registered at Police Station New Usmanpur, Delhi.

7. It is submitted that with the intervention of family friends, common friends, relatives and well wishers, the parties have amicably settled all the disputes and differences between them *vide* Compromise Deed dated 05.02.2023 which *inter alia* states that: -

- (i) That the respondent No. 2 shall not claim anything from the petitioner in respect of the settlement,
- (ii) That the respondent No. 2 shall cooperate the petitioner in getting the FIR quashed,

8. In view of the Compromise Deed dated 05.02.2023, the present petition has been filed.

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



Investigating Officer concerned.

10. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 05.02.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by all the petitioner and is supported by his affidavit. 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.

12. Today, the complainant/respondent No. 2, who is present in Court, states that he has voluntarily settled all the disputes with the petitioner and has no objection if the FIR is quashed.

13. 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.

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

15. Accordingly, FIR bearing No. 789/2019 registered at Police Station New Usmanpur, Delhi, for offence punishable under Section 307 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

16. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 12, 2024

S.Sharma