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

+ **W.P.(CRL) 3048/2023 & CRL.M.A. 28411/2023**

**ANAND PRAKASH**

.....Petitioner

Through: Mr. Amit Poonia, Advocate with  
petitioner in person.

versus

**STATE OF NCT OF DELHI & ORS.**

.....Respondents

Through: Mr. Anand V Khatri, ASC, Crl. for  
State.

Respondent Nos. 2 & 3 in person.

S.I. Rakesh, PS Kanjhawala, Delhi.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**20.08.2024**

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1. The present Petition under Article 226 of the Constitution of India and Section 482 of the Code of Civil Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioner seeking to quash the FIR No. 127/2013 registered under Sections 279/338 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Kannjhawala, Delhi.

2. Brief facts of the case are that in the morning of said day around 09:00 A.M., the respondent Nos. 2 and 3 were going to Karala on bike i.e., Bajaj Discover where the respondent No. 2 was riding the bike and respondent No. 3 was a pillion rider.

3. It is submitted that around 09:20 A.M., when the respondent Nos. 2 and 3 left the Village Jyounti and reached near Village Ladpur, one Maruti 800 Car being driven on wrong side in high speed collided with bike of respondent Nos. 2 and 3 and they suffered injuries.

4. Thereafter, an FIR bearing No. 127/2013 under Sections 279/338 of



the IPC, 1860 got registered at Police Station CWC Nanakpura, Delhi and also the Chargesheet has been filed in the said FIR, which is pending before the learned Trial Court Delhi.

5. It is also submitted that with the indulgence of relatives and well-wishers, the parties have settled all the disputes and differences between them *vide* Memorandum of Understanding dated 12.07.2023 which *inter alia* states that: -

- (i) That the respondent Nos. 2 and 3 shall withdraw the present FIR,
- (ii) That the parties have settled all their disputes and differences and have no grievance or claim of any nature against each other,
- (iii) That the respondent Nos. 2 and 3 undertake not to file any civil or criminal proceedings against the petitioner,
- (iv) That the parties shall remain bound by the terms of the present MoU.

6. In view of the Memorandum of Understanding dated 12.07.2023, the present petition has been filed.

7. The petitioner and respondent Nos. 2 and 3 are present in person today, and they have been identified by their counsel and Investigating Officer concerned.

8. It is further submitted that Rs. 20,00,000/- and Rs. 11,00,000/- has been received by the respondent Nos. 3 and 2 respectively towards compensation of MACT.

9. The parties have submitted that all the disputes have been amicably settled *vide* Memorandum of Understanding dated 12.07.2023 and thus, no fruitful purpose will be served in continuing with the FIR.



10. The present petition has been signed by the petitioner and is supported by his affidavits. The parties have endorsed and 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.

11. Today, the respondent Nos. 2 and 3, who are present in the Court, state that they have settled all the disputes with the petition and have no objection if the FIR is quashed.

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 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. 127/2013 registered at Police Station Kannjhawala, Delhi, for offences punishable under Sections 279/338 of IPC, 1860 and the Chargesheet and all consequential proceedings emanating therefrom are quashed.

15. The petition along with pending application stands disposed of.

**NEENA BANSAL KRISHNA, J**

**AUGUST 20, 2024**

**S.Sharma**