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

+ **CRL.M.C. 7702/2023**

SH BHAGWAN DASS & ORS.

.....Petitioners

Through: Mr. Lalit Kumar, Advocate with P-2
to 4 in person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Hemant Mehla, APP for State.
Respondent No. 2 in person.
Insp. Afasar Raza, PS Prasad Nagar,
Delhi.

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+ **CRL.M.C. 511/2024**

SH. DEV ANAND @ DEVA NAND & ORS.

.....Petitioners

Through: Mr. Yogesh K. Chandna, Advocate
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for State.
Respondent No. 2 in person.
Insp. Afasar Raza, PS Prasad Nagar,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.09.2024

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1. The present Petitions under Section 482 of the Code of Criminal Procedure, 1973 have been filed on behalf of the petitioners seeking to quash the cross FIRs bearing FIR No. 238/2014 registered under Sections 307/324/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC,*



1860”) at Police Station Prasad Nagar, Delhi and FIR No. 236/2014 registered under Sections 307/147/149/34 of IPC, 1860 at Police Station Prasad Nagar, Delhi.

2. Brief facts of the case are that a scuffle took place between the parties on 26.05.2014, in which both the parties suffered injuries which were minor in nature and the PCR was called. On the complaint of Dharmendra @ Bobby, the FIR No. 236/2014 registered under Sections 307/147/149/34 of IPC, 1860 at Police Station Prasad Nagar, Delhi. Similarly, the cross FIR was registered on the complaint of Dev Anand @ Deva Nand, the FIR No. 238/2014 registered under Sections 307/324/34 of IPC, 1860 at Police Station Prasad Nagar, Delhi.

3. Learned counsel for the petitioners submits that the petitioner No. 1-Bhagwan Dass @ Shankar had died on 26.11.2023 and the copy of the Death Certificate has been placed on record.

4. It is submitted that during the pendency of the case, the parties have settled all the disputes and differences between them *vide* Memorandum of Understanding dated 13.03.2023 which *inter alia* states that: -

- (i) That the parties have no grievances, disputes and differences against one another and do not want to continue with the present FIRs,
- (ii) That both the complainants have no objection if the present FIRs are quashed,
- (iii) That one Akash one of the accused in FIR No. 238/2014 has already passed away,
- (iv) That the parties are now living happily and peacefully,
- (v) That the parties undertake to remain bound by the terms of the



settlement.

5. In view of the Memorandum of Understanding dated 13.03.2023, the present petitions have been filed.
6. The petitioners and the respondents are present in person in the Court today, and they have been identified by their counsel and Investigating Officer concerned.
7. The parties have submitted that all the disputes have been amicably settled *vide* Memorandum of Understanding dated 13.03.2023 and thus, no fruitful purpose will be served in continuing with the FIRs.
8. The present petitions have been signed by the petitioners and the respondents and are supported by the affidavits of the petitioners as well as of respondents. 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.
9. Today, the complainants Dharmendra @ Bobby and Dev Anand @ Deva Nand who are present in person in the Court, state that they have settled all the disputes and have no objection if the FIR is quashed.
10. 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.
11. Moreover, there is no legal impediment in quashing the FIR in question.
12. Accordingly, FIR bearing No. 236/2014 registered at Police Station



Prasad Nagar, Delhi, for offences punishable under Sections 307/147/149/34 IPC, 1860 and FIR bearing No. 238/2014 registered at Police Station Prasad Nagar, Delhi, for offences punishable under Sections 307/324/34 IPC, 1860 along with the respective Chargesheets and all consequential proceedings emanating therefrom are quashed.

13. The petitions stand disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 20, 2024

S.Sharma