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

+ **W.P.(CRL) 3191/2023**

MANISH & ORS.

..... Petitioners

Through: Ms. Annu Yadav, Mr. Manjeet Singh,
Ms. Nisha Hans and Mr. Shaanu
Baghel, Advocates for P1 to P3
alongwith petitioners in person

versus

STATE (NCT OF DELHI) AND ANR.

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Mohit Raj Nagar, Mr.
Alok Sharma, Mr. Vasu Agarwal,
Advocates and SI Roopa, P.S. GTB
Enclave
Mr. Mohit Yadav, Mr. Parth Garg and
Mr. Sandeep Singh, Advocates for R-
2/complainant alongwith R-2 in
person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

06.02.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing No.24/2016 for offence punishable under Sections 186/353/323/341/34 of Indian Penal Code, 1860 ('IPC') and Section 3/4 Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage of



Property) Act, 2008 ('DMSPMC Act') registered at Police Station GTB Enclave, Shahdara, Delhi.

2. Issue notice. Mr. Yasir Rauf Ansari, learned ASC accepts notice on behalf of the State.

3. Petitioners are present before this Court and have been identified by their counsel Ms. Annu Yadav and Investigating Officer (IO) SI Roopa from Police Station GTB Enclave, Delhi.

4. Briefly stated, the facts of the present case are that a quarrel took place between the parties and on the complaint of respondent no. 2, an FIR bearing no. 24/2016 for offence punishable under Sections 186/353/323/341 of IPC and Section 3/4 of Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and damage of Property) Act was registered against the petitioners. After investigation, chargesheet was filed before the concerned Court and charges were framed against the petitioners. It is stated that during pendency of the aforesaid FIR, with the intention of common friends and family friends, both the parties had resolved their disputes amicably between themselves vide Settlement Deed dated 18.08.2023.

5. Petitioners present before this Court have tendered unconditional apology and have also given an undertaking that they will not indulge in any such activity in the future.

6. On a query made by this Court, respondent no.2, who has been identified by the IO, has categorically stated that the matter has been settled amicably after the accused persons have tendered their apology. In terms of the settlement, respondent no. 2 does not wish to pursue the abovesaid FIR and the proceedings pursuant thereto.



7. Today, respondent no. 2/complainant, who is present in Court states that he has no objection if the FIR is quashed.
8. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.
9. Accordingly, FIR bearing No. 24/2016 for offence punishable under Sections 186/353/323/341/34 of Indian Penal Code, 1860 ('IPC') and Section 3/4 Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage of Property) Act, 2008 ('DMSPMC Act') registered at Police Station GTB Enclave, Shahdara, Delhi and all consequential proceedings emanating therefrom are quashed.
10. In view of above, the present petition stands disposed of.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 6, 2024/ns

Click here to check corrigendum, if any