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

+ **W.P.(CRL) 3315/2023**

DAYARAM

..... Petitioner

Through: Mr. Ravi P. Mehrotra, Sr. Advocate
along with Mr. Pratyush Parimal and
Ms. Apurva, Advocates

versus

STATE OF GOVT OF NCT OF DELHI AND ANR Respondent

Through: Mr. Yasir Rauf Ansari, ASC for the
State with SI Sahab Singh, P.S. Sarita
Vihar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **16.01.2024**

1. The present writ 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 instituted on behalf of the petitioner seeking quashing of FIR No. 0390/2023, registered at Police Station Sarita Vihar, for offences punishable under Sections 308/34 of the Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Yasir Rauf Ansari, learned ASC accepts notice on behalf of the State.
3. Petitioner is present before this Court and have been identified by their counsel and Investigating Officer (IO) Sahab Singh from Police Station Sarita Vihar, Delhi.
4. Brief facts of the case are that the parties are neighbours, Due to a personal altercation on 04.08.2023, two separate FIRs were registered. The



said FIR has been lodged by the petitioner. The dispute arose when the petitioner's nephew had borrowed some money from the son of respondent no. 2 and had refused to pay the same. The said dispute arose between Sunny, Sushil and Rahul. After some discussion, the parties decided to arrive at a conclusion wherein the matter was amicably settled. Vide settlement deed dated 01.11.2023, petitioner and respondent no.2 have decided to file respective quashing petition of FIR on the basis of settlement deed. Therefore, the petitioner moved the present petition.

5. On a query made by this Court, respondent no.2, who has been identified by the IO, has categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties vide Settlement Agreement dated 01.11.2023 entered into between them.

6. Today, the complainant, who is present in Court states that he has no objection if the FIR is quashed.

7. 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.

8. Accordingly, FIR bearing No. 0390/2023, registered at Police Station Sarita Vihar, for offences punishable under Sections 308/34 of the IPC and all consequential proceedings emanating therefrom are quashed subject to the petitioner depositing the cost of Rs.20,000/- in Lawyers Welfare Fund,



Delhi High Court within 10 days from today and the receipt thereof will be filed in proof thereof.

9. The petition stands disposed of. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 16, 2024/at

Click here to check corrigendum, if any