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

+ **CRL.M.C. 5848/2024**

SUMIT KUMAR & ORS.

.....Petitioners

Through: Mr. Pulkit Jain (D/6446/2017),
Advocate with Petitioners.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **31.07.2024**

CRL.M.A. 22361/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5848/2024

1. The Petitioner has approached this Court for quashing FIR No.228/2022 dated 12.03.2022 registered at Police Station Sonia Vihar for offences under Sections 323/341/506/34 IPC on the ground that the parties have entered into an amicable settlement.
2. It is stated that the parties have settled all their disputes amicably. An affidavit to this effect has been filed by the Complainant. As per the Affidavit, the parties have agreed to settle all their disputes amicably and it is stated that the Respondent No.2 does not have any objections to quashing of the FIR and all the proceedings emanating therefrom in terms of the aforesaid settlement.



3. The Petitioners and Respondent No.2 are present in Court today. They have been identified by the Investigating Officer and the respective Counsels. Respondent No.2, who is present in Court, states that he has settled all his disputes with the Petitioners out of his own free will, without pressure, coercion or undue influence and do not want to pursue the present case any further and request that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

4. Learned APP for the State opposes this Petition on the ground that Petitioners No.3 & 4 and the Complainant herein are involved in similar incidents.

5. It is unfortunate that people tend to take law in their hands and then come forward for settlement which leads to wastage of precious judicial time and efforts of the Police authorities. However, in view of the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303 and in view of the settlement arrived at between the parties and considering the young age and the future of the Petitioners, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, FIR No.228/2022 dated 12.03.2022 registered at Police Station Sonia Vihar for offences under Sections 323/341/506/34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

6. However, this Court is of the opinion that the Petitioners cannot be let off only because Respondent No.2 has decided to enter into a settlement



with the Petitioners. The Petitioners have to atone for their sins and must realize that they cannot take the Courts for granted and the Petitioners cannot get a feeling that they can get away with the crime by entering into a settlement with the victim. This Court is, therefore, inclined to impose costs of Rs.10,000/- on each of the Petitioner so that the Petitioners do not repeat such kind of offences in future. Accordingly, the Petitioners is directed to deposit a sum of Rs.10,000/- each with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

7. The Petitioners are warned not to repeat such incidents in future.

8. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 31, 2024

Rahul