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

+ **W.P.(CRL) 3383/2023**

HAJI ABRAR & ORS.

..... Petitioners

Through: Mr. Anwar Khalil and Mr. A.S. Shastri, Advocates alongwith petitioners in person

versus

THE STATE NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Sanjeev Bhandari, ASC for the State with SI Nagendra, P.S. Seemapuri, Delhi
Mr. Ranbir Kundu, Mr. Saurav Joon and Mr. Deepak Kohli, Advocates for R-2 to R-4 alongwith R-2 to 4 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

12.01.2024

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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.801/2023 dated 03.11.2023 registered at Police Station Seemapuri, Delhi for offence punishable under Sections 308/323/427/34 of Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Sanjeev Bhandari, learned ASC accepts notice on behalf of the State.



3. Petitioners are present before this Court and have been identified by their counsel Mr. Anwar Khalil and Investigating Officer (IO) SI Nagendra, from Police Station Seemapuri, Delhi.

4. It is stated that some dispute had arisen between the complainant and the petitioners on the issue of parking in which both the parties sustained injuries. On the complaint of respondent no. 2, the present FIR bearing no. 801/2023 dated 03.11.2023 registered at Police Station Seemapuri, Delhi for offence punishable under Sections 308/323/427/34 of Indian Penal Code, 1860 ('IPC') was registered against the petitioners. It is stated that on the same day i.e. on 03.11.2023, a cross-FIR bearing no. 800/2023 was also got registered on the complaint of petitioner no.1 against respondent no. 2 and other co-accused persons. During pendency of the investigation, being residents of the same society and neighbours, both the parties have decided to put an end to the disputes and have amicably settled the same between them *vide* Settlement dated 04.11.2023.

5. On a query made by this Court, respondent nos.2 and 3, who have been identified by the IO, have categorically stated that they have entered into compromise out of their own free will and without any pressure, coercion or threat. It is also stated by respondent nos. 2 and 3 that the entire dispute has been amicably settled *vide* Settlement dated 04.11.2023 entered into between them and that they have no objection, if the FIR is quashed.

6. 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.

7. Accordingly, FIR bearing no. 801/2023 dated 03.11.2023 registered at Police Station Seemapuri, Delhi for offence punishable under Sections 308/323/427/34 of Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom are quashed subject to the petitioners depositing the cost of Rs.10,000/- each within 15 days, in the following manner:

- (a) Rs. 10,000/- each be deposited by petitioner nos.1 and 2 with Delhi High Court Bar Association Library Fund.
- (b) Rs.10,000/- each be deposited by petitioner nos. 3, 4 and 5 with Delhi High Court Bar Association Employees Welfare Fund.

8. In view of above, the present petition stands disposed of.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 12, 2024/ns

[Click here to check corrigendum, if any](#)