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

+ **CRL.M.C. 8492/2023**

VAIBHAV MALHOTRA

..... Petitioner

Through: Mr.Jitesh Sharma and Mr.Rohit Singh,
Advocates

versus

STATE (GNCTD) & ANR.

..... Respondents

Through: Mr.Laksh Khanna, APP for State with
SI Hemant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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19.01.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 739/2020 registered under Sections 307/186/353 IPC at P.S. Paschim Vihar West, Delhi on the ground that the parties have amicably settled their disputes. It is stated that charge has been framed under Section 308 IPC.
2. As per the allegations levelled in the FIR, on 11.09.2020 at around 8 PM, while respondent No.2 was stationed as traffic police constable at Paschim Vihar red light, the petitioner jumped the red light in his car. When respondent No.2 tried to stop him, the petitioner instead sped the car and caused severe injuries to the said respondent.
3. Learned APP for the State submits that in the present case the petitioner is the only accused person and respondent No.2 is the only complainant/victim.
4. Learned counsels for the petitioner submits that the parties have



entered into a settlement vide Memorandum of Understanding/Settlement Deed dated 06.11.2023 and in terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioner.

5. The petitioner, who is present in the Court, has been identified by his counsel and the Investigating Officer. Respondent No.2, who is also present in Court, has been identified by the Investigating Officer.

6. The petitioner has shown remorse for his conduct and he undertakes not to repeat the same in future. Respondent No.2 states that he has entered into the aforesaid memorandum of understanding/settlement out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements made in Court today.

9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.1,00,000/- out of which Rs.25,000/- is to be paid by the petitioner to the complainant/respondent No.2 by way of a Demand Draft through Investigating Officer and remaining Rs.75,000/- is to be deposited by the petitioner with the Delhi State Legal Services Authority within a period of four weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.



10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.
11. With the above directions, the petition is disposed of.
12. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.
13. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioner is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 19, 2024

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