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

+ CRL.M.C. 6061/2024 & CRL.M.A. 23167/2024

SHIV KUMAR & ANR.

.....Petitioners

Through: Mr. Roshan Lal, Adv. with petitioners
in person

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
Mr. S. C. Nunwal, Adv. for R-2 with
R-2 in person
SI Braham Prakash, P.S. Sultan Puri

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **06.08.2024**

1. The present petition has been filed seeking quashing of FIR No.531/2015 under Sections 323/341/34 of the Indian Penal Code, 1860 (IPC) registered at Police Station Sultan Puri, Delhi, on the ground of settlement. Subsequently, charges under Section 453 of the IPC were also added.
2. The petitioner no.1 is the son of the respondent no.2 and the dispute arose on account of misunderstanding between the parties.
3. Parties have now settled their disputes *vide* a compromise deed dated 22nd March, 2024, annexed as Annexure P-4 to the present petition.
4. Subsequently, *vide* order dated 3rd January, 2024, the learned Trial Court has compounded the offences under Sections 323/341/34 of the IPC. However, since the charge under Section 453 of the IPC was non-



compoundable, the Trial Court continued with the proceedings in respect of the said charge. Therefore, by way of the present petition, the petitioner seeks quashing of the charge under Section 453 of the IPC.

5. Issue notice.

6. Notice is accepted by the learned APP appearing on behalf of the State and by the counsel appearing for the respondent no.2.

7. The respondent no.2 is present in person and is identified by the Investigating Officer (IO). He informs the Court that he has settled the matter of his own free will and without any coercion. He further states that he has no objection to quashing of the FIR.

8. The petitioners are also present in Court and have been identified by their counsel. They affirm the statement of the respondent no.2 and undertake to abide by the terms of settlement arrived at between the parties.

9. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

10. Consequently, the FIR No.531/2015 registered at Police Station Sultan Puri, Delhi and the proceedings pursuant thereto are quashed.

11. The petition, along with the pending applications, stands disposed of.

AMIT BANSAL, J

AUGUST 6, 2024/ds