



\$~82

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

+ **CRL.M.C. 6171/2024**

NISAR AHMED & ORS.

.....Petitioners

Through: Mr. Shripal Upadhya (D/6379/20) and
Mr. Ajeet Singh (D/3274/21),
Advocates along with Petitioners in
person.

versus

STATE G.N.C.T OF DELHI & ORS.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.

Mr. Lokesh Kumar (D/3211/21),
Advocate for the R-2/Complainant
along with Respondent No.2 in
person.

SI Sanjeev Singh (D-3232), PS
Ghazipur.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

%

08.08.2024

CRL.M.A. 23584/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 6171/2024

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the Petitioners for quashing FIR No.239/2018 dated 17.06.2018, registered at Police Station Ghazipur for offences punishable under Sections 308/323/506/34 IPC.

2. The present FIR is an outcome of a dispute between the Petitioners and the Respondent No.2/complainant. It is alleged in the FIR that the

CRL.M.C. 6171/2024

Page 1 of 3



Respondent No.2/complainant and his family members was beaten up by the Petitioners and, therefore, on the complaint of Respondent No.2/complainant, the present FIR has been registered against the Petitioners.

3. It is stated that due to the intervention and good advice of common friends and respectable persons of the locality, the Respondent No.2/complainant and the Petitioners have settled the matter amicably vide a Memorandum of Understanding (MoU) dated 26.07.2024. A copy of the said MoU dated 26.07.2023 has been filed with the petition at Annexure P-4.

4. It is stated that the Petitioners are remorseful for their conduct and that they would not repeat such an offence in future.

5. Today, the Parties are present in Court. The Petitioners have been identified by their Counsel and the Investigating Officer. The Respondent No.2/complainant has been identified by his Counsel and the Investigating Officer. The Respondent No.2/complainant states that he has settled all the disputes with the Petitioners out of his own free will, without pressure, coercion or undue influence and states that he does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement arrived at between them and the proceedings recorded before this Court.

6. The Parties who are present in Court today understand the implication of the present proceedings. In view of the settlement arrived at between the Parties and the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose would be served in



continuing with the present proceedings. Resultantly, the FIR No.239/2018 dated 17.06.2018, registered at Police Station Ghazipur for offences punishable under Sections 308/323/506/34 IPC and the proceedings emanating therefrom are hereby quashed.

7. The petition stands disposed of in above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 8, 2024

S. Zakir