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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6194/2024, CRL.M.A. 23663/2024**
TOQEER NIZAM @ MOHD. TOQEER NIZAM & ORS.

.....Petitioners

Through: Mr. Abdul Gaffar (D-87/2007),
Advocate along with Petitioners in
person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
Mr. Raj Kumar (D/1204/2013),
Advocate for R-2 along with
Respondent No.2 in person.
ASI Raj Vardhan Singh.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
27.08.2024

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1. The present petition under Section 528 of BNSS, 2023 has been filed for quashing FIR No.574/2022 dated 22.08.2022, registered at Police Station Jagat Puri for offences punishable under Sections 323/451/427/506/34 IPC on the ground that the parties have entered into a settlement.
2. It is alleged that the Respondent No.2/complainant has been assaulted by 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



Compromise Deed dated 20.09.2022 which has been annexed in the present petition as Annexure P-3.

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 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.574/2022 dated 22.08.2022, registered at Police Station Jagat Puri for offences punishable under Sections 323/451/427/506/34 IPC and the proceedings emanating therefrom are hereby quashed.

7. This Court is also inclined to impose costs upon the Petitioners so that the Petitioners do not repeat such kind of offences in future. Accordingly, the Petitioners are directed to pay a sum of Rs.5,000/- each to be deposited with the "*Armed Forces Battle Casualties Welfare Fund*" within three weeks



from today. Copies of the receipt be also filed with the Registry of this Court to show compliance of the Order.

8. The Petitioners are also directed to plant 25 trees each at their own expense in their locality within 10 days. The Investigating Officer is directed to ensure that the trees are planted by the Petitioners and a Compliance Report regarding the same shall also be filed before this Court.

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

SUBRAMONIUM PRASAD, J

AUGUST 27, 2024

S. Zakir