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

+ **W.P.(CRL) 2423/2024**

SUNIL KUMAR YADAV

.....Petitioner

Through: Mr. Ravin Rao, Mr. Pallav Gupta,
Mr. Akshit Sawal, Advocates.

versus

THE STATE (GOVT OF NCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
along with SI Puja, PS-Burari and SI
Vikas Rathee.
Mr. Ayan Sharma and Mr. Yashasvi
Yadav, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
23.10.2024

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1. The instant petition under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, ("Cr.P.C." hereinafter) [now Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS")] has been filed by the petitioner praying for quashing of FIR bearing No. 0353/2023 dated 21st March, 2023 registered at Police Station Burari, Delhi for offences punishable under Sections 506/509 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The petitioner is present before this Court (through Video Conferencing from Jail) and has been identified by his counsel Mr. Ravin Rao, Advocate and Investigating Officer SI Puja, Police Station Burari. The



respondent No.2/complainant is also present in person before this Court and has been identified by her counsel and the Investigating Officer.

3. On the query made by this Court, respondent no.2/complainant has categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that the instant FIR is arising out of an altercation/misunderstanding that took place on 18th March, 2023, at Burari Government hospital as both the parties were working in the same hospital. According to the said FIR, the respondent no.2 abused and threatened the petitioner and his family members.

5. With the intervention of family members and relatives, both the parties entered into a settlement/ Compromise Deed dated 26th July, 2024. The terms and conditions of the said settlement are mentioned in the Compromise deed which is annexed at page no. 18 to the petition.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the said compromise deed and as per the judgments of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303***. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. *Per contra*, Mr. Sanjay Lao, learned Standing Counsel for the State submitted that there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.



9. In the present case, the respondent no.2 is present before this Court and has categorically stated that he has entered into compromise and settled the entire disputes amicably with the petitioner by his own free will without any pressure or coercion. Therefore, it is observed that the parties have reached on the compromise and amicably settled the entire disputes without any pressure.

10. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 0353/2023 dated 21st March, 2023 registered at Police Station Burari, Delhi for offences punishable under Sections 506/509 of the IPC and consequent proceedings emanating therefrom are quashed.

11. Accordingly, the instant petition, alongwith pending applications, if any, stands disposed of.

CHANDRA DHARI SINGH, J

OCTOBER 23, 2024

Rk/sm

Click here to check corrigendum, if any