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

+ **W.P.(CRL) 2440/2024**

AAYUSH DEWAN

.....Petitioner

Through: **Mr. Shiv Charan Garg, Advocate.**

versus

THE STATE NCT OF DELHI AND ORS.

.....Respondents

Through: **Mr. Yasir Rauf Ansari, ASC for State with Mr. Alok Sharma, Mr. Vasu Agarwal, Advocates with SI Rajat Khaiwal, PS. Paschim Vihar, East. SI Gaurav Kumar, PS: Paschim Vihar East.**

Mr. Ashutosh Gupta, Mr. Anilendra Pandey, Advocates for R-5,6 and 7.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

16.10.2024

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1. Pursuant to the previous order, respondent no.6 is present in Court, as per the statement made by the respondent no.6, an additional amount of Rs. 50,000/- is being tendered *vide* DD no. 010709 which is received by respondent no. 6 in Court. Accordingly, he has been paid a total of Rs. 3 lacs.
2. As regards the respondent no.7 who also appears through his counsel and is being tendered an additional amount of Rs. 25,000/- *vide* DD no. 010708 which is received by counsel on behalf of respondent no.7; accordingly, a total of Rs. 1,25,000/- is now paid to respondent no.7.



3. As regards the respondent no.5 who was the driver of e-rickshaw, it is stated by counsel for the State on instructions of the IO that he is not traceable. Counsel for respondent no.5 states that he was appearing for respondent no.5 however, he has no instructions. It is noted that respondent no.5 has already been paid Rs. 25,000/-, as per the settlement which was arrived at which is on record.
4. Accordingly, considering that these settlement amounts have been adequately compensated by petitioner, settlement agreements are already on record giving no objection to the quashing of the FIR, and certain additional amounts have also been paid to some of the respondents, the petition is allowed.
5. 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. Accordingly, the petition is allowed. Consequently, the FIR No. 194/2024 under Sections 279/337 IPC registered at PS Paschim Vihar, Delhi and proceedings emanating therefrom are quashed.
6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 16, 2024/RK