



\$~23

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

+ **W.P.(CRL) 2445/2024**

VIKASH & ORS.

.....Petitioners

Through: Mr. Chetan, Adv. with the petitioners

versus

GOVT. N.C.T. OF DELHI (THE STATE) & ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for State with
SI Sachin Kumar, PS Nand Nagri
Ms. Deepika, Adv. with R-2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

25.10.2024

%

1. The present petition has been filed seeking quashing of FIR No. 273/2016 registered at PS Nand Nagri, under Sections 308/323/34 IPC on the basis of settlement dated 26.07.2024.
2. Briefly stated facts of the case are that the above-mentioned FIR was lodged on the statement of the complainant/respondent No.2 Sh. Manoj Kumar. The parties reside in a similar locality. The FIR was registered as a result of the quarrel which took place between the parties due to indifferent attitude towards each other .
3. Learned Counsel for the petitioner submits that the matter has been settled and a settled deed dated 26.07.2024 was entered into between the parties on the following terms and conditions;



That pursuant to the said settlement quashing of FIR is to be jointly preferred.

That pursuant to primary hearing of the quashing petition it has been felt necessary to reduce the terms of settlement in writing to be filed before the Hon'ble High Court both the parties undertakes that they will not creates any problems in their respective lives and maintain the peace in the society.

That in the present time there subsist no dispute in between the parties.

The present Deed is drawn up on a non-judicial stamp paper of Rs.100/- and the same bears the photographs of the parties and has been signed by the parties out of their respective freewill without any fear, force or coercion on the day, date and year in the above written and has been notarized.

4. Respondent No.2 is present in Court and has duly been identified by the IO. He states he has resolved the entire matter with the petitioners voluntarily without any fear, force and coercion.
5. The High Court is the highest court of the State and is conferred with the power of control and superintendence over all courts subordinate to it. Besides Articles 226 and 227, Section 482 CrPC also acknowledges the inherent power of the high court to secure the ends of justice. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would merely be an abuse of process of law
6. It has repeatedly been held by the Courts that if the dispute is private in nature and parties have entered into the settlement at their own free



will, the quashing of the proceedings may be done. However, the Courts have to satisfy themselves that the settlement so entered into is within the four corners of the law.

7. Taking into account the totality of facts and circumstances, the case FIR No. 273/2016 registered at PS Nand Nagri, under Sections 308/323/34 IPC and all the proceedings emanating therefrom are quashed.
8. The present petition along with the pending application stands disposed of.

DINESH KUMAR SHARMA, J

OCTOBER 25, 2024

Pallavi/smg