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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3579/2023**

SOHAN LAL

..... Petitioner

Through: Mr. Prashant Bali with Manish
Kumar, Advocates along with
petitioner in person.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
State with SI Ashish, P.S. Rajouri
Garden.

Mr. Sona Kumar, Advocate for R-2
along with respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

07.02.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no.750/2023, registered at Police Station Rajouri Garden, Delhi for the offences punishable under Sections 288/337 of IPC, 1860 and all consequential proceedings emanating therefrom.
2. Petitioner is present before this Court and has been identified by his counsel Mr. Prashant Bali and Investigating Officer (IO) SI Ashish from Police Station Rajouri Garden, Delhi.
3. The brief facts of the present case are that petitioner, who is Dhekedar by profession and he did not install proper safety and precautions during the construction of house bearing No.D-488, Tagore Garden, Delhi due to which a small brick fell on to the head of the complainant while the complainant



was passing through D-489, Tagore Garden, Delhi. During the course of investigation, the MLC of the victim was collected from GGS Hospital, Raghubir Nagar, Delhi and the Doctor had mentioned head injury while passing by road at D-489, Tagor Garden, Delhi around 1:00 pm on 26.09.2023. However, during the pendency of the abovesaid case, both the parties have amicably settled all their disputes *vide* Memorandum of Understanding (MoU) dated 21.10.2023.

4. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that he has entered into settlement out of his own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.

5. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

6. Accordingly, FIR bearing no.750/2023, registered at Police Station Rajouri Garden, Delhi for the offences punishable under Sections 288/337 of IPC and all consequential proceedings emanating therefrom are quashed.

7. In view of the above, the present petition stands disposed of.

8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 7, 2024/hs

[Click here to check corrigendum, if any](#)