



\$~81

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

+ **CRL.M.C. 6289/2024**

PAWAN TOKAS

.....Petitioner

Through: Mr. Satish Dabas, D-611/1997,
Mr.Naveen Dalal, Advocates with
Petitioner in person.

versus

THE STATE AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Rishi Kant Mishra, D-6898, PS
Vasant Kunj North
Mr. Sandeep Singh Nainwal,
Advocate for Respondent No.2 with
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

13.08.2024

%

1. The Petitioner has approached this Court by filing the instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023 for quashing of FIR No.161/2024 dated 27.07.2024 registered at Police Station Vasant Kunj North for offences under Sections 281, 125(a) of the Bharatiya Nyaya Sanhita (BNS), 2023.
2. The facts of the case reveal that the FIR was lodged at the instance of Respondent No.2 herein. The FIR was registered against the Petitioner on the ground that he hit the auto-rickshaw of Respondent No.2 from behind due to which the auto-rickshaw overturned and Respondent No.2 got stuck under it and got injured.



3. The present petition has been filed on the ground that the parties have amicably settled the matter and entered into a compromise on 01.08.2024. The Complainant/Respondent No.2 has also filed an affidavit affirming the fact that the grievance of the Complainant against the Petitioner in the abovementioned FIR stands settled. It is also stated that the Complainant does not have any objection if the present FIR against the Petitioner is quashed as he has already settled the dispute with the Petitioner.

4. The Petitioner and the Complainant/Respondent No.2 are present in Court today. The parties have been identified by the Investigating Officer. The Complainant/Respondent No.2 states that he has received the entire amount of settlement and he has settled all the disputes with the Petitioner 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. He requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement and the proceedings recorded before this Court.

5. Considering the fact that the parties have amicably settled the matter and the entire amount of settlement has been paid by the Petitioner and in view of the fact that the instant case is squarely covered by the law laid down by the Supreme Court in Gian Singh vs. 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, FIR No.161/2024 dated 27.07.2024 registered at Police Station Vasant Kunj North for offences under Sections 281, 125(a) of the Bharatiya Nyaya Sanhita (BNS), 2023 and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and



the undertaking given to the Court.

6. The petition stands disposed of in above terms along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 13, 2024

hsk