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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6291/2024 & CRL.M.A. 24094/2024**

HARVINDER SINGH & ORS.Petitioner

Through: Mr. Deepak Khushlani,
Mr. J. S. Raghav, Mr.
Sushil Pawar, Mr. Manish
Chauahan, Mr. Nitin Rana,
Ms. Anita Vishkarma,
Advts. along with P-1, P-3
to P-6 & P-8 in person.
P-2 & P-7 through V.C.

versus

STATE NCT OF DELHI AND ANRRespondents
Through: Ms. Kiran Bairwa, APP
for the State.
Mr. Rajeev Sirohi, Mr.
Jahangir Ahmad, Mr.
Puneet Narula, Ms. Neha
& Mr. Shams Tabrez,
Adv. for R-2, 3 & 4 along
with R-2, 3 & 4 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **14.08.2024**
CRL.M.A. 24095/2024 (exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. The present petition is filed seeking quashing of FIR No.42/2019 dated 04.04.2019 registered at Police Station Jaffarpur Kalan for offence under Sections 325/34 of the Indian Penal Code, 1860 ('IPC'). Chargesheet was filed for offences under Sections 323/325/34 of the IPC.

CRL.M.C. 6295/2024

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4. The FIR was registered on a complaint filed by Respondent No. 2, who alleged that on 21.03.2019, during the celebrations of Holi festival, a scuffle took place between the petitioners and Respondent Nos. 2-4.

5. The learned counsel for the petitioners submits that a minor altercation took place between the parties due to some misunderstanding. He submits that a cross- complaint was also registered at the instance of the petitioners.

6. He submits that the petitioners have also tendered an unconditional apology to Respondent Nos. 2, 3 and 4 for their behaviour.

7. The parties have since resolved their disputes and have agreed that they would cooperate in the proceedings in relation to quashing of the present FIR and complaint case No.389/2022. The parties have since moved on in life.

8. The present petition is filed on the ground that the matter is amicably settled between the parties by way of Memorandum of Settlement dated 06.08.2024, with the intervention of common relatives and well-wishers, on their own free will, without any undue influence or duress.

9. Petitioner Nos.1, 3 to 6 & 8 and Respondent Nos.2, 3 & 4 are present in the Court and Petitioner Nos. 2 & 7 are present through video conferencing. The parties have been duly identified by the Investigating Officer.

10. Respondent Nos. 2, 3 & 4, on being asked, state that they do not wish to pursue the proceedings arising out of the present FIR, and have no objection if the proceedings are quashed.

11. They submit that they are satisfied with the unconditional apology tendered by the petitioners for their behaviour and have no remaining grievance against them.



12. Offences under Sections 323/325 of the IPC are compoundable.

13. The Respondent Nos.2, 3 & 4 have stated that they do not wish to pursue the proceedings arising out of the present FIR. They have stated that they have no remaining grievance against the petitioners and that they are satisfied with their unconditional apology. In the peculiar circumstances of this case, it is unlikely that the present FIR will result in a conviction when Respondent Nos.2, 3 & 4 do not wish to pursue the case. The parties are related to each other and, in such circumstances, continuation of the proceedings would only cause undue harassment and heartburn.

14. Thus, keeping in view the nature of the dispute and that the parties have amicably resolved their differences, this Court feels that no purpose would be served by keeping the disputes alive and continuance of the proceedings would amount to abuse of the process of Court.

15. In view of the above, FIR No. 42/2019 and all consequential proceedings arising therefrom are quashed.

16. The present petition is allowed in the aforesaid terms.

17. The pending application(s) also stands disposed of.

AMIT MAHAJAN, J

AUGUST 14, 2024

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