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

+ **CRL.M.C. 6364/2024**

ISHWAR SINGH & ORS.

.....Petitioners

Through: Mr. Lalatendu Sahu (D/1058/2014),
Advocate with Petitioners in person.

versus

THE STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Awanish Pati Mishra (D/364/13),
Advocate for R-2 and 3.
SI Saurabh (D-1504), PS Neb Sarai

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **16.08.2024**

CRL.M.A. 24353/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 6364/2024

1. Petitioners have approached this Court seeking quashing of FIR No.68/2021, dated 24.02.2021, registered in Police Station Neb Sarai for offences under Sections 308/201/34 IPC, on the ground of amicable settlement arrived at between the parties.
2. On the complaint of the Respondents No.2, the instant FIR was lodged against the Petitioners. In the FIR it is stated that the Petitioners have beaten the brother of the Respondent No.2. The brother of the Respondent No.2 has been impleaded as Respondent No.3 herein.
3. It is stated by the parties that with the intervention of relatives and



well-wishers, the parties have settled their dispute vide settlement agreement dated 06.07.2024. It is stated that in terms of the settlement agreement, the parties have agreed that they will maintain harmonious relations with each other. It is, therefore, requested that the instant FIR be quashed as the dispute has been amicably resolved.

4. Today, the parties have joined the proceedings and they have been identified by their respective Counsels and the Investigating Officer. The Complainant states that he has settled all the disputes with the Petitioners out of his own free will, without pressure, coercion or undue influence. The parties undertake that they will remain bound by the settlement arrived at between them and the proceedings recorded before this Court. The parties understand the implication of the present proceedings.

5. In view of the mutual settlement arrived at between the parties 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, and to ensure peace and harmony between the parties, this Court is satisfied that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.68/2021, dated 24.02.2021, registered in Police Station Neb Sarai for offences under Sections 308/201/34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the mutual settlement and the undertaking given to the Court.

6. A reading of the FIR shows that the Petitioners have beaten the brother of the Complainant. The Petitioners cannot be let off only because the Respondent No.2/Complainant, has decided to enter into a settlement with the Petitioners. The Petitioners have to atone for their sins and must



realize that they cannot take the Courts for granted and that the offence committed by them can be compromised and that they will be let off. This Court is, therefore, inclined to impose costs of Rs.10,000/- each on the Petitioners so that the Petitioners do not repeat such kind of offences in future. Accordingly, the Petitioners are directed to deposit a sum of Rs.10,000/- each with the Armed Forces Battle Casualties Welfare Fund within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

7. The Petitioner is also directed to plant 20 trees in their locality and nurture them. The Investigating Officer is directed to ensure that the trees are planted by the Petitioners and a Compliance Report regarding the same shall also be filed before this Court.

8. Petitioners are warned not to indulge in such offences in future. It is made clear that if the Petitioners repeat such incident in future, the Courts will not take a lenient view and will punish the Petitioners accordingly.

9. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 16, 2024

Rahul