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

+ CRL.M.C. 6495/2024, CRL.M.A. 24867/2024

SH. MANAKAN DEEP SINGH AND ANOTHERPetitioners

Through: Ms. Lovee Tyagi and Ms. Aayushi
Aggarwal, Advs. for P-1 and 2 along
with petitioners

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Satish Kumar, APP for the State
with SI Tej Dutt, ASI Subodh Kumar,
PS Hari Nagar.
Mr. Rishabh Basra, Ms. Varsha
Basra, Mr. Lovedeep Singh,
Advs.with respondents.

+ CRL.M.C. 7365/2024, CRL.M.A. 28097/2024

ENA KAPOOR AND ORSPetitioners

Through: Mr. Rishabh Basra, Ms. Varsha
Basra, Mr. Lovedeep Singh, Advs.
with petitioners.

versus

THE STATE NCT OF DELHI AND ORSRespondents

Through: Mr. Satish Kumar, APP for the State
with SI Tej Dutt, ASI Subodh Kumar,
PS Hari Nagar.
Ms. Lovee Tyagi and Ms. Aayushi
Aggarwal, Advs. for R-2 and 3 with
respondents

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

18.09.2024

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CRL.M.A. 24866/2024 (exemption) in CRL.M.C. 6495/2024
CRL.M.A. 28096/2024 (exemption) in CRL.M.C. 7365/2024

Exemptions are allowed subject to all just exceptions.

CRL.M.C. 6495/2024 and CRL.M.C. 7365/2024

1. Present petitions have been filed seeking quashing of FIR No.562/2018 dated 02.12.2018 registered under Section 354/354(B)/323/341/506/509/34 IPC at PS Hari Nagar in CRL.M.C. 6495/2024 and FIR No. 0034/2019 dated 15.01.2019 registered under Section 295/298/323/354B/34 IPC at PS Hari Nagar in CRL.M.C. 7365/2024.
2. Both the FIRs have arisen out of the same incident allegedly to have happened on 01.12.2018 at around 11.30 PM. The quarrel between the parties had pre-dominantly taken place and seems to be the case of road rage. The FIR No. 562/2018 was lodged on 02.12.2018. However, the cross FIR No. 34/2019 was lodged on 15.01.2019 only after the order passed by the Court under Section 126 Cr. PC. The husband of the complainant in the FIR No. 34/2019 is a practicing advocate and he is also an accused in FIR No. 562/2018.
3. Both the parties state that now they have entered into an amicable settlement and want to close both the cases. A compromise deed dated 26.07.2022 has been placed on the record. The parties have entered into the settlement on the following terms and conditions;
 1. *That the parties hereto have mutually settled / resolved / compromised all their disputes and differences at New Delhi on the terms and conditions agreed to between the parties as enumerated below.*



2(a) That the First Party and Second Party agreed to withdrawal their cases /complaints which they have filed against each other.

(b) That it is agreed and undertaken by both parties that they will help each other for Quashing Of FIR in Hon'ble High Court, New Delhi.

(c) That after getting Quashing Of FIR, both the parties have no right to take any legal action against each other.

(d) That this Compromise Deed is for withdrawal of the pending Criminal Cases/complaints against the both the parties and others arising out of the FIR No.0562 of 2018 & 0034 of 2019 as per details given.

That both the parties undertakes to not to interfere in each others peaceful lives in any manner whatsoever or shall not defame each other in any manner whatsoever. If so happen the same shall be deemed to be deliberate and willful violation of this settlement agreement.

f) That the parties reiterate that they shall continue to abide by the terms of the Settlement /Compromise as recorded hereinabove which are being acted upon.

(g) That in view of settlement of all disputes, the parties unconditionally withdraw all allegations leveled against each other and undertake not to make any fresh or new allegations in future against each other

4. The complainants in FIR No. 562/2018 and FIR No. 34/2019 are present and state that they have voluntarily settled the matter of their own free will without fear, force, or coercion.
5. In **Narinder Singh v. State of Punjab** (2014) 6 SCC 466, the Supreme Court held that FIRs in non-compoundable offenses can be quashed if the parties reach a settlement, taking into account the nature of the



offense and its impact on society. Similarly, in ***Gian Singh v. State of Punjab*** (2012) 10 SCC 303, the Supreme Court ruled that FIRs in personal disputes may be quashed if the settlement doesn't compromise public interest. In both cases, the emphasis is on balancing individual rights with societal concerns when quashing proceedings based on private settlements.

6. Both parties submit that the alleged incident occurred in the heat of the moment, and no further incident has taken place between them. They state they wish to move forward in their careers and resolve their enmity. Both parties undertake to abide by the terms of the settlement dated 26.07.2022.
7. The IO has identified the parties and confirmed no other involvement. Since the parties had a private dispute, which has not led to further conflict, the dispute seems to have been resolved amicably.
8. In view of the above, FIR No.562/2018 dated 02.12.2018 registered under Section 354/354(B)/323/341/506/509/34 IPC at PS Hari Nagar in CRL.M.C. 6495/2024 and FIR No. 0034/2019 dated 15.01.2019 registered under Section 295/298/323/354B/34 IPC at PS Hari Nagar in CRL.M.C. 7365/2024 and all the other proceedings emanating therefrom is quashed.
9. The present petition along with all the pending applications stand disposed of.
10. The copy of this order be given *dasti* under signature of Court Master.

DINESH KUMAR SHARMA, J

SEPTEMBER 18, 2024/Pallavi/NA