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

+ **CRL.M.C. 6604/2024**

IMRAN & ANR.

.....Petitioners

Through: Mohd. Zahid and Mr. Brahm Kr.
Pandey, Advocates with petitioners.

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Rishi Kumar, PS Geeta
Colony, Delhi.
Respondent No. 2/complainant in
person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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23.08.2024

CRL.M.A. 25222/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 6604/2024

3. The present Petition under Section 528 of B.N.S.S, 2023, has been filed jointly on behalf of the petitioners and the respondent No. 2, seeking quashing of FIR No.491/2022 for the offence punishable under Sections 323/341/506/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Geeta Colony.
4. Issue notice.



5. Ms. Richa Dhawan, learned APP accepts notice on behalf of the State.
6. Briefly stated, the respondent No. 2/complainant lived as a tenant and worked as a tea maker near Rani Garden garbage bin. Both the petitioners are brothers and run a coal selling shop in front of the complainant's tea shop. Petitioner No. 1, Imran always parked his Santro white colour car near the shop of the complainant. On 10.08.2022, some unknown persons had broken the glass of the car of Imran. Thereafter, the petitioner No. 2, Sameer Ahmed said the complainant that you had broken the glass of the car and started fighting and assaulting him. Meanwhile, Imran also came with an iron-like object and started hitting on the hands, legs and body of the complainant. The petitioners also kicked and punched the complainant and threatened to kill him. Due to which, complainant got badly injured. Both the petitioners left him on the spot and ran away.
7. On the complaint of respondent No. 2, FIR No. 491/2022 for the offence punishable under Sections 323/341/506/34 of the IPC, has been registered at Police Station Geeta Colony. It has been submitted that the Charge-Sheet has been filed and the charges have been framed under Section 323/341/506/34 of IPC.
8. It has been submitted that the matter has been amicably settled between the respondent No.2/injured and the petitioners, before the Mediation Centre at Karkardooma Courts, Delhi. The Settlement dated 19.03.2024, is already on record. As per the terms of the Settlement the complainant/injured has already been compensated by both the petitioners and the complainant will not claim any other compensation in this case from them. A request for quashing of the FIR has been made on account of the Settlement *inter se* the parties. In view of the settlement, the present Petition



has been filed.

9. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

10. Today, the complainant, who is present in Court states that he has no objection, if the FIR is quashed.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

12. Accordingly, FIR No.. 491/2022 for the offence punishable under Sections 323/341/506/34 of the IPC, registered at Police Station Geeta Colony and all consequential proceedings emanating therefrom are quashed.

13. The Petition stands disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 23, 2024/RS