



\$~ 44

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

+ **W.P.(CRL) 3839/2023**

SALMAN & ANR.

..... Petitioners

Through: *Appearance not given.*

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: **Mr. Amol Sinha, ASC for the State.**

**Mr. S.N. Qureshi, Advocate for R-2
& 3.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

%

01.05.2024

CRL.M.A. 35661/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 3839/2023

3. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioners seeking quashing of case arising out of FIR bearing No. 541/2023, registered at Police Station Jafrabad, for offences punishable under Sections 323/341/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Amol Sinha, learned ASC appearing on behalf of the State accepts notice.
5. Petitioners are present before this Court and have been identified by



their counsel and Investigating Officer (IO) from Police Station Jafrabad.

6. Brief facts of the case, as per the prosecution are, that on 01.11.2023, at about 07:00 PM in the evening, petitioner no. 1 was returning to his place of work. Petitioner no. 1 saw that respondent no. 1 had parked their commercial vehicle in front of the entry gate of the petitioner's accommodation. It is further alleged that when petitioner no. 1 asked respondent nos. 2 and 3 to move the said vehicle, the petitioners started misbehaving with the said respondents and started using filthy language with the said respondents and assaulted them. It is further alleged that when respondent no. 2 and 3 tried to run away and save themselves, the petitioners stopped the said respondents and started beating them. On the complaint of respondent no. 2, the said FIR got registered. It is stated that the said respondents do not want to initiate any further proceeding, in view of the settlement taken place on 07.12.2023 and that in the heat of the moment, the parties fought with each other. Hence, the present petition for quashing of the said FIR has been filed.

7. On a query made by this Court, the respondent no. 2 and 3, who have been identified by the IO, have categorically stated that they have entered into compromise out of their own free will, volition and without any coercion, pressure or threat. It is also stated by the said respondents that the entire dispute has been amicably settled between the parties vide compromise deed dated 07.12.2023; and have no objection if the FIR is quashed.

8. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would



create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing No. 541/2023, registered at Police Station Jafrabad, for offences punishable under Sections 323/341/34 of the IPC and all consequential proceedings emanating therefrom are quashed, subject to the petitioners and respondent nos. 2 to 7 depositing the cost of Rs. 5000/- (Rupees Five Thousand Only) each, in Advocates Welfare Fund, Karkardooma Courts, Delhi, within 10 days from today, and the receipt thereof will be filed in proof, with the Registry.

10. The petition stands disposed of.

11. The order be uploaded on the website forthwith.

MAY 1, 2024/at

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any