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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6872/2024**
RAJESH KUMAR SHARMA & ORS.

.....Petitioner

Through: Mr. Rajnish Ranjan, Advocate.

versus

THE STATE (NCT) OF DELHI & ANR.

.....Respondent

Through: Mr. Sanjeev Sabharwal, Ld. APP for
State with SI Bhupinder Singh P.S.
Sarai Rohilla.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
02.09.2024

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1. A Petition under Section 528 of BNSS has been filed on behalf of the petitioners for quashing of FIR No.137/2018 under Section 452/308/34 IPC registered at Police Station Sarai Rohilla.
2. The parties are present in person who submits that they were living as tenant on different floor within the same building. On 26.04.2018 due to some misunderstanding they had a fight and one the complainant was hit with a *danda* which resulted in one small cut on his head for which he got 2-3 stitches. The complainant registered an FIR No.137/2018 against the petitioners under Section 452/308/34 IPC at Police Station Sarai Rohilla.
3. It is submitted that both the petitioners and respondent No. 2 have already sorted out their all differences with the intervention of their



respective persons of the vicinity and they have left no grudge or grievance against each other in any manner whatsoever. The MLC of the complainant shows that the nature of injury is simple. The parties are repentant since the day of the incident. The complainant submits that the treatment expenses were all borne by the petitioners. There had been no untoward incident and there is cordiality between them. Therefore, the Petition be quashed.

4. The complainant is present in the Court and submits that the matter stands settled with the petitioners *vide* Settlement dated 26.04.2018 which is signed by the petitioners and respondent No.2. It is submitted that the said Settlement has been arrived at between the parties without any pressure, force or coercion from any corner and that they shall remain bound by the terms of the Settlement dated 26.04.2018. The respondent No.2 has no objection if the FIR is quashed against the petitioners on account of the settlement already arrived at between the parties.

5. In view of the submissions made, the Petition is allowed. The Chargesheet has been filed in the Court in February, 2024 and the charges are yet to be framed. Accordingly, the FIR bearing No. 137/2018 registered at Police Station Sarai Rohilla, for offences punishable under Sections 452/308/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* the petitioners.

6. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 2, 2024/va