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

+ **W.P.(CRL) 2672/2024**

KARTAR SINGH

.....Petitioner

Through: Mr. C.M. Goel, Mr. P. Budhiraja,
Advvs. with petitioner.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC, Ms.
Charu Sharma, Mr. Arjit Sharma, Mr.
Vaibhav Vats, Mr. Nikunj Bindal,
Advvs. for State and SI Neeraj, PS
Preet Vihar.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

02.09.2024

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CRL.M.A. 26263/2024

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

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3. The present petition has been filed under Article 226 of the Constitution of India r/w Section 482 Cr.P.C. seeking quashing of case FIR No. 37/2021 dated 08.02.2021 under Section 406 IPC registered at PS Preet Vihar, Delhi and all other proceedings emanating therefrom.
4. Briefly stating the allegations in the FIR are that the complainant gave his car i.e., BMW 520 D series registration no. HR51AT5151 to the



petitioner for repair. However, the petitioner did not repair the car properly and made misrepresentation of certain facts. On this FIR No. 37/2021 was lodged. However, now the parties have entered into a settlement on the following terms and conditions:

- “1. That both the parties have agreed to enter into this settlement agreement and settle all their disputes with each other without any pressure, force, coercion or undue influence from any corner.*
- 2. That it is agreed between both the parties that the first party will sign and co-operate with the second party in every manner pertaining to the said FIR. i.e. FIR No.0037/2021 U/s 406 IPC P.S. Preet Vihar before the Concerned Court.*
- 3. That it is agreed between both the parties that the first party will sign and co-operate with the second party as well as all accused for quashing the above said FIR i.e. FIR No.0037/2021 U/s 406 IPC P.S. Preet Vihar before the Hon'ble High Court of Delhi at New Delhi, if Required.*
- 4. The terms have been settled between the parties of their own free will, volition and consent and without there being and undue pressure, coercion, influence, misrepresentation or mistake (both law and fact) if any from whatsoever.”*
5. The complainant has appeared through VC and submits that the matter has been amicably settled between the parties without any fear force or coercion and submits that he does not want to pursue with the present matter.
6. Both parties have duly been identified by the IO.
7. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion



and they should be given an opportunity to lead their lives peacefully.
No purpose will be served in continuing with the trial.

8. In view of the above, FIR No. 37/2021 dated 08.02.2021 under Section 406 IPC registered at PS Preet Vihar, Delhi and all the other proceedings emanating therefrom are quashed. However, cost of Rs. 10,000/- is imposed on the petitioner and shall be deposited within one week with Delhi State Legal Services Authority (DSLISA).
9. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 2, 2024/AR/DG..