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

+ **CRL.M.C. 7089/2024**

ANKIT SHARMA

.....Petitioner

Through: Mr. Sagar Dwivedi and Mr.
Abhishek, Advocates.
Petitioner in court.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Hemant, P.S.: Jafrabad.
Ms. Kirti Singh and Mr. Ankit
Srivastava, Advocates for R2.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

09.09.2024

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By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 32/2013 dated 10.02.2013 registered under sections 279/337 of the Indian Penal Code, 1860 ('IPC') at P.S.: Zafraabad, Delhi ('subject FIR'). Consequent upon completion of investigation, allegations under section 338 of the IPC and sections 146/196 of the Motor Vehicles Act, 1988 ('MV Act') have also been added *vide* chargesheet dated 10.02.2013 filed in the matter.

2. The petition is premised on Memorandum of Understanding dated 24.07.2024 ('MoU'), whereby the petitioner and respondent No. 2 have resolved their disputes amicably.



3. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proof of their I.D.s.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer as well as by their respective counsel.
5. The court has interacted with respondent No.2, as also with the petitioner, who both confirm that they have now resolved the matter and the MoU has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. Respondent No.2 confirms that he has received a sum of Rs.2,00,000/- in terms of the MoU and that all aspects of the MoU have now been performed. He submits that, in addition to the sum received under the MoU, in the proceedings before the learned Motor Accidents Claims Tribunal, he has been awarded compensation of Rs.6,91,000/- and he confirms that he is aware that he will receive the said amount of Rs.6,91,000/- through the learned MACT.
7. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all



subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

9. Accordingly, FIR No. 32/2013 dated 10.02.2013 registered under sections 279/337 IPC at P.S.: Zafrabad, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 9, 2024

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