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

+ **W.P.(CRL) 2762/2024**

DHARAMPAL & ORS.

.....Petitioners

Through: Ms. Vaishali Singh, Mr. R.K. Happy
and Mr. Soumya Bharti Puniya,
Advocates (D/7850/2019) along with
Petitioners in person.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with Ms. Priyam Agarwal
and Mr. Abhinav Kumar Arya,
Advocates.

Mr. Hemant Kumar, Advocate for R-
2 to 4 with Respondents.

SI Sachin Sharma, PS Pandav Nagar

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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09.09.2024

CRL.M.A. 27049/2024 (Exemption)

Allowed, subject to all just exceptions.

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1. The present petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been filed for quashing FIR No.276/2011 dated 07.09.2011, registered at Police Station Pandav Nagar for offences punishable under Sections 308/341/34 IPC on the ground that the parties have entered into a settlement.

2. The present FIR is an outcome of a dispute between the Petitioners

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and the Respondent No.2/Complainant, who are neighbours. It is alleged that the Respondent No.2/complainant and his family members have been assaulted by the Petitioners and, therefore, on the complaint of Respondent No.2/complainant, the present FIR was registered against the Petitioners.

3. It is stated that due the intervention and good advice of common friends and respectable persons of the locality, the Respondents and the Petitioners have settled their dispute amicably *vide* a Memorandum of Understanding (MoU) dated 20.07.2024 which has been annexed with the present petition as Annexure P-3.

4. It is stated that the Petitioners are remorseful for their conduct and that they would not repeat such an offence in future.

5. Today, the Parties are present in Court. The Petitioners have been identified by their Counsel and the Investigating Officer. The Respondent No.2/complainant has been identified by his Counsel and the Investigating Officer. The Respondent No.2/complainant states that he has settled all the disputes with the Petitioners out of his own free will, without pressure, coercion or undue influence and states that he does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the proceedings recorded before this Court.

6. In view of the settlement arrived at between the Parties and the fact that the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.276/2011 dated 07.09.2011, registered at Police Station Pandav Nagar for offences



punishable under Sections 308/341/34 IPC and the proceedings emanating therefrom are hereby quashed.

7. This Court is also inclined to impose costs upon the Petitioners so that the Petitioners do not repeat such kind of offences in future. Accordingly, the Petitioners are directed to pay a sum of Rs.25,000/- each to be deposited with the "*Armed Forces Battle Casualties Welfare Fund*" within four weeks from today. Copies of the receipt be also filed with the Registry of this Court to show compliance of the Order.

8. With the above directions, the petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 9, 2024

S. Zakir