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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7467/2024, CRL.M.A. 28498/2024**

SHAHNAWAZ @ MOHD. SHAHNAWAZ & ORS.....Petitioners

Through: Mr. Abhishek Rana, Mr. Rohan Khan
and Mr. Ravinder Singh Raghav,
Advocates with petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Aashneet Singh, APP for State
with SI Pankaj Kumar, P.S. Jyoti
Nagar.
Mr. Mahesh Chand, Advocate for
respondent No.2 alongwith
respondent No.2 and his sons namely
Mahender and Anil are present in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

20.09.2024

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1. The present proceedings are instituted under Section 528 of BNSS, 2023 on behalf of the petitioners seeking quashing of FIR No. 0292/2021 registered under Sections 323/341/308/506/34 IPC at P.S. Jyoti Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, an altercation broke out between the parties and the petitioners gave beatings to the respondent No.2 and his sons with sticks.
3. Learned APP for the State, on instructions, submits that though the present petitioners are the only accused persons, there are two other injured persons apart from respondent No.2, namely *Mahender* and *Anil*, who are



the sons of respondent No.2. Learned APP further submits that though the parties have compromised their disputes, some cost may be imposed upon the petitioners since the State machinery has been put in motion and the allegations are of grave nature. Learned APP, on further instructions, submits that the FIR is pending investigation.

4. Learned counsel for the petitioners submits that the petitioners and respondent No. 2 are neighbours and are known to each other. It is stated that the present FIR was registered due to some misunderstanding and that with the intervention of family members and friends, the parties have amicably settled their disputes vide Compromise Deed/MOU dated 14.08.2024, a copy of which has been placed on record. In terms of the Compromise Deed/MOU, the respondent No.2 has no remaining grievances against the petitioners.

It is submitted that a cross FIR No. 293/2021 had also been registered under Sections 323/341/325/506/34 IPC. The proceedings for quashing of the same have also been initiated before this Court, vide the terms of the settlement.

5. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./SI Pankaj Kumar, P.S. Jyoti Nagar, Delhi. The petitioners have shown remorse for their conduct and undertake to not repeat the same in future.

6. Learned counsel for the petitioners submits that although respondent No.2 being the complainant is impleaded as a party, the other two injured persons, i.e., his sons *Mahender* and *Anil* are also present in Court and have been identified by the I.O. Respondent No.2 and his sons submit that they have entered into the settlement with the petitioners out of their own free



will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to the payment of cost of Rs.10,000/- to be deposited by each of the petitioners, out of which Rs.5,000/- each shall be deposited with the Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) and remaining Rs.5,000/- each shall be paid to respondent No.2 by way of a demand draft through the I.O. within a period of four weeks from today. The amount so deposited with the DSLSA shall be utilized by it for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Proof evidencing receipt of deposit shall be filed with the I.O. failing which, the I.O. shall be at liberty to move appropriate application.

10. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

11. With the above directions, the petition is disposed of alongwith pending application.

MANOJ KUMAR OHRI, J

SEPTEMBER 20, 2024

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