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

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Date of Decision: 21.03.2024

+ CRL.M.C. 1425/2024

SANJEEV KUMAR

..... Petitioner

Through: Ms.Sonal Singh, Advocate with
Petitioner-in-person.

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr.Ajay Vikram Singh, APP for State
with SI Ravindra Singh, PS Tughlak
Road.
Respondent No.2-in-person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T

ANOOP KUMAR MENDIRATTA, J (ORAL)

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 67/2021, under Sections 279/337 IPC, registered at P.S.: Tughlak Road and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and respondent No.2 in person appear on advance notice and accept notice.
3. In brief, as per the case of the petitioner, present FIR was registered on 29.05.2021 on complaint of respondent No.2 (Sangam Singh) who alleged that he suffered injuries in collision with a car driven by the petitioner.
4. Learned counsel for the petitioner submits that petitioner is a first time offender and has clean past antecedents. It is further pointed out that after the



accident, petitioner himself took the respondent No.2 to the hospital. Further a claim of Rs.1,70,000/- has already been received by respondent No.2 from Motor Accident Claims Tribunal.

5. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 08.07.2023 arrived at Delhi Mediation Centre, Patiala House Courts, New Delhi whereby the petitioner has agreed to pay an amount of Rs.30,000/- towards full and final settlement.

An amount of Rs.15,000/- has already been handed over to respondent No.2 while balance amount of Rs.15,000/- has been paid today through DD No.825340 dated 18.03.2024 drawn on UCO Bank, Karkardooma Court Branch in favour of respondent No.2.

6. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

7. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

8. It may also be observed that heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot be appropriately quashed despite settlement. However, distinguished from



serious offences, the offences which have predominant element of civil dispute or offences involving minor accidents, where the complainant / victim also stands compensated by insurance, in relief claimed before MACT stand on a different footing, so far as exercise of inherent powers under Section 482 Cr.P.C. is concerned. In view of compromise between the parties, even the possibility of conviction in such a case is remote and continuation of proceedings would cause oppression and prejudice the accused.

9. Petitioner as well as respondents No. 2 are present in person and have been identified by SI Ravindera Singh, P.S.: Tughlak Road. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and he has no objection in case the FIR in question is quashed.

10. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No. 67/2021, under Sections 279/337 IPC, registered at P.S.: Tughlak Road and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 21, 2024/v