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

+ **CRL.M.C. 7686/2024**

DHARMENDRA @ DHARO & ORS.

.....Petitioners

Through: Mr. Alamine, Advocate.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Pancham Kumar, P.S.: Sadar
Bazar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.09.2024

CRL.M.A. 29329/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 7686/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioners seek quashing of case FIR No. 413/2014 dated 09.10.2014 registered under sections 308/323/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sadar Bazar, Delhi. Consequent upon completion of investigation, an allegation under section 325 IPC was added *vide* chargesheet dated 17.01.2017.

2. The petition is premised on Memorandum of Settlement dated 18.09.2024, whereby the petitioners and respondents Nos. 2 to 4 have resolved the matter amicably.



3. The petition is supported by affidavits of the petitioners and of respondents Nos. 2 to 4, 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 their respective counsel.
5. The court has interacted with the respondents Nos. 2 to 4, as also with petitioners, who have confirmed that they have now resolved the matter and a Memorandum of Settlement dated 18.09.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. Though the court has queried respondents Nos. 2 to 4 very closely and it would appear that the petitioners have come forward to offer a settlement at a very late stage, respondents Nos.2 to 4 have categorically stated that since the petitioners belong to the same district in Bihar, they do not wish to pursue criminal proceedings against the petitioners any longer. They have further categorically stated that though the amount of compensation paid by the petitioners of Rs.40,000/- is small, the petitioners are also persons of meager means and they do not wish to ask for any additional compensation.
7. Mr. Hitesh Vali, 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. 413/2014 dated 09.10.2014 registered under sections 308/323/34 IPC at P.S.: Sadar Bazar, 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 27, 2024/ak