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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 7808/2024 & CRL.M.A. 29785/2024

RAVINDER SINGH

.....Petitioner

Through: Counsel (appearance not given) with
petitioner in court.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Mohit Kumar, PS: Con.
Place.

Mr. Amit Kumar, Mr. Sumit Kumar,
Ms. Priyanka Nagar, Mr. Mohit
Khari, Advocates.

R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.10.2024

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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. 0056/2022 dated 12.02.2022 registered under sections 279/337 of the Indian Penal Code, 1860 ('IPC'), section 185 of the Motor Vehicle Act, 1954 ('MV Act') and section 3 of Delhi Prevention of Defacement of Public Property Act, 2007 ('DPDPP Act') at P.S.: Connaught Place, New Delhi.

2. The petition is premised on Settlement Deed dated 20.01.2024 ('settlement deed') arrived at through mediation before the Delhi Mediation Centre, Patiala House Courts Complex, New Delhi whereby the petitioner and respondent No. 2 have resolved the matter amicably.



3. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel and by the Investigating Officer ('I.O.').
5. The court has interacted with respondent No.2, as also with the petitioner, who have confirmed that they have now resolved the matter and a settlement deed has been signed by them closing all issues amicably. Respondent No.2 has also confirmed, that he had only received minor injuries on his elbows and his knees; that he was administered first-aid at a hospital, and was thereafter discharged immediately; and that he has not suffered any temporary or permanent disability and he is able to work as an auto-driver as he used to prior to the accident.
6. In addition to the sum of Rs. 25,000/- that has been paid by the petitioner to respondent No. 2, as mentioned in the settlement deed, the court is informed that the petitioner has also settled his clam before the Motor Accident Claims Tribunal with respondent No. 2 for a sum of Rs. 30,000/-.
7. Accordingly, the petitioner has paid to respondent No. 2, a total sum of Rs. 55,000/- in full-and-final settlement for all the latter's claims. Furthermore, since respondent No. 2 is ordinarily a resident of Bihar, the petitioner has also undertaken to pay to respondent No. 2 an additional sum of Rs. 6,000/- for his travel costs between Bihar and Delhi. Respondent No. 2 confirms that all aspects of the settlement with respondent No. 2 have now been performed.



8. Ms. Shubhi Gupta, learned APP appearing for the State confirms that the nature of the injury suffered by respondent No. 2 was 'simple'; and that the State has no objection to the subject FIR being quashed.
9. 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.
10. That being said however, while allowing this petition, and considering that the petitioner had committed the act in a drunken state, this court deems it appropriate, that by way of atonement, the petitioners shall pay costs of Rs. 15,000/- to the Very Special Arts of India, Plot No.3, Institutional Area, Nelson Mandela Marg, Vasant Kunj, New Delhi, within 04 weeks; and place proof of payment of costs in record, within 01 week thereafter.
11. Subject to the aforesaid condition, FIR No. 0056/2022 dated 12.02.2022 registered under sections 279/337 of the IPC, section 185 of the MV Act and section 3 DPDPP Act at P.S.: Connaught Place, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. The Registry is directed to verify compliance; and to re-list the matter if costs are not paid, as directed.



13. The petition is disposed-of, in the above terms.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 3, 2024/ss