



\$~31

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

+ CRL.M.C. 7910/2024

SATISH KUMAR AND ORS.

.....Petitioners

Through: Mr. Brijender S Dhall, Adv.
Petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Mukesh Kumar, APP for State
along with SI Jaiveer Kumar, PS
Palan Village
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
18.12.2024

%

1. The present petition has been filed seeking quashing of FIR No.0481/2024 registered at PS Palam Village under Sections 115(2)/126(2)/74/76/79/333/351(2) BNS based on settlement.
2. Briefly stated facts as per the FIR are that the complainant was travelling from Rajasthan to Delhi by car on 20.08.2024. While travelling the complainant found one car parked in the middle of the road and it was alleged that the people inside the car were in a drunken state. The complainant asked them to move aside in order for him to go ahead but the accused persons started abusing the complainant and even used casteist slurs. Further the accused persons allegedly vandalized the car of the complainant, assaulted and robbed him as



well.

3. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably, and in furtherance thereof, they have entered into a Memorandum of Understanding/Compromise Deed dated 31.08.2024.
4. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No.0481/2024 registered at PS Palam Village under Sections 115(2)/126(2)/74/76/79/333/351(2) BNS.
5. I have gone through the Memorandum of Understanding/Compromise Deed dated 31.08.2024 which has been placed on record. The of Understanding/Compromise Deed provides for the following terms and conditions:

That the parties have agreed to file a joint petition U/s 528 BNSS, 2023 of quashing of the said FIR and sign all the documents, petitions, affidavits, provide photograph etc. which are required for filing a joint petition of quashing before the Hon'ble High Court of Delhi at New Delhi of FIR bearing No. 0481/2024 U/s 115(2)/126(2)/74/76/79/333/351(2) BNS, registered at P.S. Palam Village, Delhi and have agreed to make statement before Hon'ble High Court for quashing of the said FIR.

2. That both the parties have agreed not to file any claim/counter claim against each other and have also agreed not to file any form of cases in future and any pending cases complaints, apart from the abovementioned cases, shall be withdrawn by the parties.

3. That the compromise is made by the parties without any pressure, coercion and out of their own free will.

4. That both the parties have agreed that this compromise



deed in original shall be filed with petition U/s 528 BNSS, 2023 before Hon'ble High Court of Delhi in quashing petition with regard to FIR bearing No. 0481/2024 U/s 115(2)/126(2)/74/76/79/333/351(2) BNS, registered at P.S. Palam Village, Delhi.

5. That the contents of this Compromise Deed have been read by the parties and they have fully understood the same and after understanding the contents they have put their signature over this compromise deed.

6. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non- compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. In the case of **Narinder Singh & Ors. V. State of Punjab & Anr.** (2014) 6 SCC 466 it was *inter alia* held that criminal cases having overwhelmingly and predominantly civil character should be quashed when the parties have resolved their entire disputes among themselves. Therefore, in the present case, predominantly it is a private dispute and parties have settled the matter.
7. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 states that she has entered the settlement voluntarily without any fear, force, or coercion.
8. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.



9. In view of the above, FIR No.0481/2024 registered at PS Palam Village under Sections 115(2)/126(2)/74/76/79/333/351(2) BNS and all the other proceedings emanating therefrom are quashed.
10. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 18, 2024

Rb/kr..