



\$~105

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

+ W.P.(CRL) 3197/2024

SAURAV GUJJAR & ANR.

.....Petitioners

Through: Mr.Raj Kumar, Advocate

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr.Amol Sinha, ASC for the State
with Mr.Kshitiz Garg, Mr.Ashvini
Kumar & Ms. Chavi Lazarus,
Advocates
Ms.Saira Parveen, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **15.10.2024**

CRL.M.A. 30943/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 3197/2024

1. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") read with Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.") has been filed by the petitioners praying for quashing of FIR bearing No.0267/2023 registered at Police Station Wazirabad, for offences punishable under Sections 448/34 of the Indian Penal Code, 1860 (hereinafter "IPC").



2. The petitioners are present before this Court and have been identified by their counsel Mr.Raj Kumar, Enrol No. D/1204/2013 and Investigating Officer, Police Station Wazirabad. The respondent No.2/complainant is also present in the Court and has been identified by his counsel and the Investigating Officer.

3. On the query made by this Court, respondent no.2/complainant has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that the real brother of the respondent No.2 namely Mr.Rajeev Girdhar filed a civil suit against the petitioners and during the pendency of said suit, the said brother of the respondent No.2 expired and his legal heirs were substituted in his place and subsequently the matter was referred before Delhi Mediation Centre, Tis Hazari Courts, Delhi. Vide mediation settlement agreement dated 23rd September, 2024, both the parties settled the entire disputes amicably. The terms and conditions of the said settlement are mentioned in the mediation settlement deed which is annexed as Annexure P-2 to the petition.

5. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise as per the Judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303.***

6. Mr. Amol Sinha, learned ASC for the State has no opposition to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

7. Heard learned counsel for the parties and perused the record.



8. Keeping in view the fact that parties have settled the matter, no useful purpose would be served by keeping the matter pending. Hence, subject to the deposition of Rs.20,000/- each with DHCBA Women Advocates Welfare Fund, UCO Bank, Account No. 15530110172858, IFSC Code: UCBA0001553, within a period of two weeks from today, FIR bearing No. 0267/2023 registered at Police Station Wazirabad, for offences punishable under Sections 448/34 of the IPC and consequent proceedings emanating therefrom are quashed. After the payment of the aforesaid amount, the receipt shall be deposited with the Investigating Officer.

9. The petition stands disposed of.

CHANDRA DHARI SINGH, J

OCTOBER 15, 2024

Dy/mk

[Click here to check corrigendum, if any](#)