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

+ **CRL.M.C. 8317/2024 & CRL.M.A. 31760/2024**

ANIRUDH KUMAR

.....Petitioner

Through: Mr Atul Verma, Mr Satyendra Kumar
Yadav, Mr Ramkishan Saraswat, Mr
Nagendra Singh, Advocates.

versus

**STATE (GOVT OF NCT OF DELHI) THROUGH SHO, PS
CHANAKYAPURI & ANR.**

.....Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Manoj Kumar.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
21.10.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS” hereinafter) has been filed by the petitioner praying for quashing of FIR bearing No.107/2024 registered at Police Station - Chanakya Puri, New Delhi, for offences punishable under Sections 281/125(a) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter as the “BNS”) and consequential proceedings arising therefrom.
2. The petitioner is present before this Court and has been identified by his counsel Mr. Atul Verma and the Investigating Officer. The respondent No.2 is also present in the Court and has been identified by the Investigating Officer.
3. On the query made by this Court, respondent No. 2 has categorically



stated that he has entered into compromise on his own free will and without any coercive pressure. It is also stated by respondent No. 2 that the disputes arising out of the aforesaid FIR have been amicably settled between the parties.

4. The brief facts of the case are that on 29th July, 2024, at about 11 P.M., the respondent no. 2 was going towards Prachin Mandir Hanuman Ji, Chanakyapuri from Moti Bagh Gurudwara and was crossing the Vinay Marg from the Samrat Hotel Round-about, Panchsheel Marg, when a white Creta car bearing number DL-10-CH-3991, which was being driven by the petitioner in a zig-zag manner, hit the respondent no. 2, due to which he fell on the road and sustained injuries. Thereafter, the respondent no. 2 was admitted to RML Hospital, where he undergone medical treatment for one day and was discharged the next day. Later, he was taken to Charak Palika Hospital, Moti Bagh by his brother, however, the doctors of the said hospital referred the respondent no. 2 to the AIIMS Trauma Centre. The respondent no. 2 was discharged from the AIIMS Trauma Centre on the very same day and medical expenses amounting to Rs. 35,000/- were borne by the petitioner. Accordingly, the impugned FIR is registered against the petitioner based on the complaint filed by the respondent no. 2.

5. The petitioner and respondent no. 2 have entered into a settlement *vide* Settlement Deed dated 21st September, 2024, which is appended at Page no. 32 of the instant petition and amicably settled their disputes as per the terms and conditions of the settlement deed. As per the terms of the said settlement, the petitioner has agreed to pay a sum of Rs. 1,20,000/- to the respondent no. 2, out of which Rs. 35,000/- has already been paid *via* UPI on the mobile number of the respondent no. 2's brother, and the same was



agreed by the respondent no. 2. The balance amount of Rs.85,000/- was agreed to be paid by the petitioner to respondent no.2 at the time of the quashing of the FIR and accordingly, the petitioner has handed over a Demand Draft, bearing number 231220 dated 26th September, 2024 of Rs.85,000/- to the respondent no.2, the particulars of which are checked and admitted to be correct by respondent no.2.

6. Learned counsel appearing on behalf of the petitioner submitted that since the disputes between the parties have been amicably settled *vide* settlement deed dated 21st September, 2024 and the balance amount of Rs. 85,000/- is paid to the respondent no. 2, it is prayed that the instant FIR be quashed on the basis of the settlement and as per the Judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303*** as well as in ***Parbathbhai Aahir @ Parbathbai vs. State of Gujarat, (2017) 9 SCC 641***.

7. Mr. Satish Kumar, learned APP for State has no objection to the quashing of the instant FIR on the basis of the settlement deed dated 21st September, 2024 between the parties.

8. Heard learned counsel appearing on behalf of the parties and perused the record.

9. The instant criminal proceedings involve non-compoundable offences which are private in nature and do not have a serious impact on the society, especially when there is a settlement/compromise between the victim and accused. In such cases, it is settled law that High Court is also required to consider the conduct and antecedents of the accused in order to ascertain that the settlement has been entered into by the complainant on his own free will and no coercive pressure has been imposed upon him by the petitioner



or any person related to him.

10. In the instant case, as stated above, the parties have reached a compromise and amicably settled the disputes arising out of the aforesaid FIR without any pressure. Moreover, it is admitted by the respondent no.2 to have received the entire amount in terms of the settlement deed. Therefore, this Court finds that no useful purpose would be served by keeping the instant matter pending. In view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed.

15. Accordingly, FIR bearing No.107/2024 registered at Police Station - Chanakya Puri, New Delhi, for offences punishable under Sections 281/125(a) of the BNS and consequential proceedings, if any, arising therefrom, are quashed.

16. Accordingly, the instant petition stands disposed of.

CHANDRA DHARI SINGH, J

OCTOBER 21, 2024

NA/mk

Click here to check corrigendum, if any