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

+ **CRL.M.C. 8355/2024**

AMARNATH AND ANR

.....Petitioners

Through: Mr. Sanjay Kumar and Ms. Reema,
Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State.
Inspector Pawan and SI Narender
Singh, P.S.: Kanjhawala.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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29.10.2024

CRL.M.A. 31915/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.M.C. 8355/2024

By way of the present petition filed under section 528 of Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No. 0298/2020 dated 09.08.2020 registered under sections 323/341/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Kanjhawala, Delhi. Consequent upon completion of investigation, an allegation under section 308 IPC was added *vide* chargesheet dated 09.03.2023.

2. The petition is premised on Settlement Deed dated 15.10.2024, whereby the petitioners 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.
5. As recorded in last order dated 22.10.2024, learned counsel for the petitioner had submitted that a petition seeking quashing of a cross-FIR had been filed and was to be taken-up alongwith the present matter today. However, learned counsel submits, that other quashing petition has yet not been filed and that the court may consider the present petition, without awaiting the cross-petition.
6. The court has interacted with the respondent No.2, as also with petitioners, who have confirmed that they have now resolved the matter and a Settlement Deed dated 15.10.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
7. Since the MLC of respondent No.2 records that he had received a head injury, the court has queried respondent No.2 in relation thereto. He states that he was hit on the head with a wooden stick but was discharged from the hospital after first-aid and is perfectly fit now.
8. Mr. Utkarsh, learned APP confirms 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. Accordingly, case FIR No. 0298/2020 dated 09.08.2020 registered under sections 323/341/34 IPC at P.S.: Kanjhawala, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 29, 2024/ak