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

+ **CRL.M.C. 8393/2024**

BHOLU @ MOHD. FARZAD & ANR.Petitioners

Through: Mr.Brijesh Panchal, Adv. with
petitioners in person

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Ms.Kiran Bairwa, APP for the State
Mr.Akash Giri, adv. for R-2 with R-2
in person.
SI Rajesh Sharma, PS Karawal Nagar

+ **CRL.M.C. 8397/2024**

WARISHA & ANR.Petitioners

Through: Mr.Akash Giri, adv. with petitioners
in person.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Ms.Kiran Bairwa, APP for the State
Mr.Brijesh Panchal, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

23.10.2024

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CRL.M.A. 32039/2024in CRL.M.C. 8393/2024

CRL.M.A. 32046/2024 in CRL.M.C. 8397/2024

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.



CRL.M.C. 8393/2024&CRL.M.C. 8397/2024

1. CRL.M.C. 8393/2024 has been filed for quashing of case FIR no.494 dated 31.07.2015 registered under Section 323/308/34 IPC at PS Karawal Nagar and CRL.M.C. 8397/2024 has been filed for quashing of case FIR no.0552 dated 28.08.2015 registered under Section 452/323/341/506/34 at PS Karawal Nagar and all the other proceedings emanating therefrom.
2. FIR No.494/2015 was lodged on 31.07.2015 at PS Karawal Nagar, stating that on 05.07.2015, respondent No.2 and her daughter Tarannum visited Azeem's house, but since Azeem and his wife were not home, Tarannum waited outside. During this time, respondent No.2 saw petitioner No.2 and her relatives removing goods from Alam and Babli's room, leading Tarannum to call Azeem and Mamta. When respondent No.2 and her daughter intervened, petitioner No.1 and his wife Yasmin assaulted them, causing injuries, including a head injury to respondent No.2. The incident led to the registration of an FIR under sections 323/308/34 IPC. However, both parties later settled the matter, and respondent No.2 chose not to pursue the case further.
3. Similarly, FIR No.552/2015 was lodged on 28.08.2015 at PS Karawal Nagar, stating that on 27.08.2015, petitioner No.2, along with her mother-in-law, forcefully entered respondent No.2's house with a stick and assaulted her. This caused injuries to respondent No.2, who was then threatened by the petitioners that they would kill her if she reported the incident to the police. The FIR was filed under sections 452/323/341/506/34 IPC.
4. I have gone through the settlement deed dated 29.08.2024 which has



been placed on record. The settlement agreement provides for the following terms and conditions:

AND WHEREAS the efforts and attempts were made by the counsels of both the parties, both the parties have agreed to amicably settle all their disputes and further agreed to co-operate each other for quashing of the aforesaid FIRs.

It is agreed between both the parties that after this settlement, both the parties shall be left with no claim against each other of any nature whatsoever and shall be free to live their lives independently without interference of each other and also both the parties and their relatives shall not file any case/litigation against each other in future pertaining to the above said FIR/cases/disputes and the advocate fees and litigation charges will be borne by both the parties themselves and not to claim the same against each other.

WHEREAS, both the parties, or their relatives shall not claim anything whatsoever in regard of the above said dispute after the present settlement/MOU.

Both the parties have entered in the present compromise without any coercion, undue influence, pressure of threat from any corner with their free will and consent.

5. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 in both the petitions have submitted that the parties have entered the settlement voluntarily without any fear, force, or coercion. They submit that other petitions have already been withdrawn or dismissed.
6. 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.



7. In view of the above, FIR no.494 dated 31.07.2015 registered under Section 323/308/34 IPC at PS Karawal Nagar and FIR no.0552 dated 28.08.2015 registered under Section 452/323/341/506/34 at PS Karawal Nagar and all the other proceedings emanating therefrom quashed.
8. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

OCTOBER 23, 2024

rb/na