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

+ **CRL.M.C. 8809/2024**

VISHAL & ANR.

.....Petitioners

Through: Mr.Jagdish Prasad and Smt.Savita
Rani, Advts. with petitioners in
person.

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr.Mukesh Kumar, APP for the
State.
PSI Shivam and SI Sukhpal, PS
Khajuri Khas
Mr.Vivek Pathak and Ms.Urvashi Pal,
Advts. for R-2 along with respondent
no.2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

11.11.2024

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CRL.M.A. 33682/2024 (exemption)

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 8809/2024

1. Present petition has been filed for quashing of case FIR no.417 dated 11.08.2024 registered under Section 115 (2)/126 (2)/109 (1)/3 (5) BNS, 2023 at PS Khajuri Khas and all the other proceedings emanating therefrom on the basis of settlement.
2. Learned Counsel for the petitioner submits that this is a dispute



between parties who are residing in the same locality. Previously some hot talk took place in between the petitioners and respondent no.2. On the day of the incident a fight broke out where Respondent no. 2 got injured on account of which the present FIR was registered. Learned Counsel submits that during the pendency of the proceedings, the parties have settled the matter vide settlement deed dated 19.10.2024 on the following terms and conditions:

- 1. THAT the second party has a good relation with the first party and their family and residing in the same vicinity.*
- 2. THAT families of both parties in the presence of their elders mutually settled the present dispute between the above said parties.*
- 3. THAT the second party wilfully decided in her full consciousness and with his consent to not pursue this criminal case bearing FIR No. 417/2024 against the first party.*
- 4. THAT the second party also agrees to not file any complaint or case before any authority related to the present offense in future. Hence, he is willing to withdraw the present FIR bearing no. 417/24 and also have no objection if the Hon'ble High Court quashes the present FIR against the first party.*

3. The parties are present in person and have been duly identified by the IO. The complainant states that the present dispute arose out of a misunderstanding which eventually led to an altercation. Further, the complainant states that they have amicably settled all their disputes and grievances vide settlement deed dated 19.10.2024 voluntarily against all claims (past, present and future) without any fear, force, undue influence or coercion. He states that he does not wish to pursue the present complaint any further and has no objection if the present FIR and all other proceedings emanating therefrom are quashed.



4. Since the dispute between the parties is predominantly private in nature and the parties have settled all the disputes amicably, in the interest of justice it would be better to put a quietus to the dispute. The chances of conviction would also be bleak and remote, given that the complainant does not wish to pursue the present complaint on account of the settlement. I do not see any reason to reject the settlement.
5. Taking into account the facts and circumstances, the FIR no.417 dated 11.08.2024 registered under Section 115 (2)/126 (2)/109 (1)/3 (5) BNS, 2023 at PS Khajuri Khas and all the other proceedings emanating therefrom are quashed.
6. The petition stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 11, 2024

Rb/smg