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

+ **CRL.M.C. 8826/2024, CRL.M.A. 33764/2024.**

PARTEEK AND ANR.

.....Petitioners

Through: Mr. Bharat Sareen, Mr. Piyush
Wadhwa and Mr. Arun Gupta,
Advocates

versus

THE STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Satish Kumar, APP for the State
with SI Sanjeev, P.S. Kalkaji
Mr. Anshul Syal, Ms. Bhavana
Duhoon, Advocates for
complainant/R-2

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
20.12.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C")] has been filed on behalf of the petitioners praying for quashing of FIR bearing No. 734/2021 registered at Police Station - Kalkaji, New Delhi for offences punishable under Sections 506/509/341/354/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that on 23rd November, 2020, petitioner no. 1 met with a car accident and the said vehicle was being driven by



respondent no. 2's husband. The petitioner no. 1 sustained injuries due to the said accident and accordingly, filed an FIR bearing no. 388/2021 under Sections 279/338 of the IPC against the respondent no. 2's husband. Thereafter, respondent no. 2 made a complaint against the petitioners and registered the instant FIR against them.

3. Learned counsel for the petitioners submitted that with the intervention of family members and relatives, the parties entered into settlement vide Settlement Agreement dated 18th December, 2023. The terms and conditions of the said settlement are mentioned in the Settlement Agreement which is annexed as Annexure-D to the instant petition.

4. Therefore, it is prayed that the instant FIR be quashed on the basis of Settlement Agreement dated 18th December, 2023 and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court.

5. Learned APP for the State submitted that there is 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.

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

7. In the case of ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303***, the Hon'ble Supreme Court observed quashing of the FIR on the basis of amicable resolution of disputes. It is further observed that if the High Court is of the view that continuation of criminal proceedings between the parties would amount to abuse of process of law despite the settlement or compromise between the parties, the same may be quashed.

8. The petitioners are present before this Court and have been identified by their counsel Mr. Bharat Sareen and Investigating Officer SI Sanjeev, Police Station Kalkaji. The respondent No.2/complainant is also present in



the Court and has been identified by her counsel, Mr. Anshul Syal and the Investigating Officer.

9. On the query made by this Court, respondent no.2 has categorically stated that she has entered into compromise on her 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 and has received the entire amount as per the terms of the Settlement agreement. The parties also undertook that they shall abide the terms and conditions of the Settlement Agreement arrived at between the parties.

10. In the instant case, as stated above, the parties have reached on the compromise and amicably settled the entire disputes without any pressure.

11. 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. Accordingly, FIR bearing No. 734/2021 registered at Police Station Kalkaji, New Delhi for offences punishable under Sections 506/509/341/354/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition alongwith pending applications, if any, stand disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 20, 2024
gs/mk

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