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

+ **W.P.(CRL) 3617/2024**

KARAN & ANR.

.....Petitioners

Through: Mr. Ashwani Tyagi, Mr. Anshul
Dabas, Advs. with petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR,.Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
State and SI Satish Bhati, PS Sarita
Vihar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

27.11.2024

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1. The present petition has been filed under Article 226 of Constitution of India r/w Section 528 BNSS seeking quashing of case FIR No. 341/2024 under Section 304(2)/3(5) BNS registered at PS Sarita Vihar, Delhi and all other proceedings emanating therefrom on the basis of settlement entered into between the parties.
2. Briefly stated, the facts of the FIR are that on 09.10.2024 the complainant reported that while returning home from his duty, two boys, Karan and Arjun, snatched his purse containing important documents and Rs. 5,000 near the Delhi Jal Board at Sunder Public School. The complainant's statement was recorded at the police station, and based on his complaint, FIR No. 341/2024 was registered for



further investigation.

3. Issue notice.
4. Learned Standing Counsel for the State has accepted the notice.
5. Respondent No.2 has also appeared in person and has accepted the notice and states that due to some misunderstanding the present case was lodged. Respondent No.2 submits that the petitioners are closely related to him. It has been submitted that respondent No.2 has entered into the settlement voluntarily without any fear force and coercion.
6. The parties has settled the matter vide settlement deed dated 12.11.2024 on the following terms and conditions:

“WHEREAS the expressions First Party and the Second Party shall construe to mean and include their attorneys, successors, nominees, authorized representatives and their officials)

WHEREAS the First Party and the Second Party are close relatives i.e cousin brothers and as such are known to each other since long time and have cordial relations.

WHEREAS due to some misunderstanding between the parties, an F.I.R No. 0341/2024, U/s 304(2)/ 3(5) of BNS 2023 was lodged at P.S Sarita Vihar on the complaint of Second Party/complainant against the First Party/accused person(s) and the chargesheet in the matter is yet to be filed.

WHEREAS due to intervention off certain well-wishers, all the disputes and differences between the parties have been resolved amicably with a view to restore peace and harmony in their lives and in view of the settlement, Second Party has agreed to withdraw the above-mentioned FIR registered against the First Party. If required, the Second Party undertakes to assist- cooperate the First Party in every possible way to get the FIR quashed before the Hon'ble High Court of Delhi and also undertakes to file No



Objection Affidavit or any other relevant document for the said purpose.

WHEREAS in view of the aforesaid terms and conditions, both the parties have resolved all their disputes and differences fully and finally and they have no grievance or claim of any nature against each other. Both the parties undertake to withdraw the proceedings against each other if any, pending against each other and further undertakes not to file any civil or criminal proceedings against each other in future.

WHEREAS both the parties shall abide by the aforesaid terms and conditions and undertakes to fulfill their part in true letter and spirit.

WHEREAS the parties have arrived at the aforesaid settlement on their own free will, voluntarily and without any pressure, undue influence, duress or coercion of any nature from any quarter whatsoever.

WHEREAS the terms of the compromise have been duly explained and understood by the parties and there is no scope of any ignorance about the same.

WHEREAS the parties have endorsed their respective hands on this Deed of Settlement in the presence of witnesses.”

7. Learned Standing counsel on instructions states that there are no other criminal antecedents. Since complainant does not want to pursue the matter.
8. The matter has been settled between the parties through a Settlement Deed dated 12.11.2024. Respondent No. 2 has also stated in court that he entered into the settlement voluntarily, of his own free will.
9. In view of the above, FIR No. 341/2024 under Section 304(2)/3(5) BNS registered at PS Sarita Vihar, Delhi and all the other proceedings



emanating therefrom are quashed

NOVEMBER 27, 2024/AR/NA..

DINESH KUMAR SHARMA, J