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

+ **CRL.M.C. 9104/2024**

**PAWAN KUMAR SHARMA ALIAS GAURAV
AND ORS.**

.....Petitioners

Through: Mr. Varun Mittal, Adv. for P-1
Mr. Ranjan Doshi, Adv. for P-2 to 4.

versus

STATE GOVT OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with Ms. Sanya Narula, Adv. and SI
Vipin Kumar.
Mr. Chaitanya Gosain and Mr.
Divyank Tyagi, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

21.11.2024

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CRL.M.A. 34895/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. This is a petition filed under Section 528 of BNSS, 2023 (previously section 482 of Cr.P.C.) seeking quashing of the FIR No. 899/2015 dated 26.12.2015 under Section 323/365/506/34 of IPC registered at PS Keshav Puram.
4. The allegations in the FIR were that the petitioner kidnapped respondent no.2 and was hit by *danda* on the legs.
5. However, during the pendency of the proceedings, the parties have



arrived at a settlement dated 07.09.2024 wherein respondent no.2 has agreed to cooperate in quashing the FIR since the nature of injury is not severe.

6. Petitioner no. 1 is present in Court and is identified by Mr. Varun Mittal. Petitioner nos.2, 3 and 4 are present in Court and are identified by Mr. Ranjan Doshi, leaned counsel.

7. The complainant/respondent no.2 is present in Court and is identified by the SI Vipin Kumar, PS Keshav Puram.

8. Parties state that they are all friends living in the same neighbourhood and the FIR was registered on account on misunderstanding.

9. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further.

10. However, since considerable time of the police has been misutilised, the petitioners undertake to pay Rs. 5000/- each to the complainant/respondent No. 2 and pay Rs. 5000/- each to the Delhi High Court Bar Association within 4 weeks from today.

11. The proof of payment be filed with the Registry within 5 weeks, failing which the file shall be put up before the Court.

12. With these directions, the petition is allowed and FIR No. 899/2015 dated 26.12.2015 under Section 323/365/506/34 of IPC registered at PS Keshav Puram is quashed.

JASMEET SINGH, J

NOVEMBER 21, 2024 / (bh)

Click here to check corrigendum, if any