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

+ **CRL.M.C. 9302/2024 & CRL.M.A. 35677/2024**

BRIJESH KUMAR SHRIVASTAVA

.....Petitioner

Through: Mr. Harshit Aggarwal, Ms. Muskan Gupta, Mr. Kunwar Tyagi, Mr. Kapil Advocates along with Petitioner in person.

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Richa Dhavan, APP for State along with SI Sanjeev Singh.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

19.12.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C")] has been filed on behalf of the petitioner seeking quashing of FIR No. 214/2018, registered at Police Station - Gazipur, Delhi for offences punishable under Sections 279/338 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. Notice issued.
3. Notice is accepted by the learned APP for State on behalf of respondent No.1 and by the respondent No.2, who is present in Court.
4. The brief facts of the case are that the respondent no. 2 incurred injuries, which was caused by the petitioner's car. Accordingly, the instant



FIR was registered against the petitioner.

5. Learned counsel for the petitioner submitted that the parties have entered into settlement which has been recorded in the order dated 24th May, 2024 passed by learned Metropolitan Magistrate-03, East, Karkardooma Courts, Delhi.

6. It is submitted that respondent no.2 has settled all his claims in respect of claims of past, present and future compensation with the petitioner for a sum of Rs. 1,35,000/- and all disputes of any nature whatsoever. The said amount has already been paid by the petitioner to the respondent No.2.

7. Therefore, it is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court.

8. Learned APP appearing on behalf of the State submitted that there is no opposition to the prayer made by the petitioner seeking the quashing of the FIR in question in view of the settlement arrived at between the parties.

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

10. 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.

11. The petitioner is present before this Court and has been identified by his counsel Mr. Harshit Aggarwal, Advocate and by the Investigating



Officer. The respondent No.2 has also been identified by the Investigating Officer.

12. On the query made by this Court, respondent no.2 has categorically stated that he has entered into compromise on his 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. He further submits that he has received the entire settlement amount and has no objection, if the present petition is allowed and the FIR is quashed.

13. Keeping in view the fact that parties have settled the matter, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 214/2018, registered at Police Station - Gazipur, Delhi for offences punishable under Sections 279/338 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner, are quashed.

14. Accordingly, the instant petition along with pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 19, 2024

Rt/mk

Click here to check corrigendum, if any