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

+ CRL.M.C. 9354/2024 & CrI.M.A.35868/2024

AARYAN CHOUDHARY

.....Petitioner

Through: Mr. Sahil Malik and Mr. Neeraj
Choudhary, Advocates with petitioner
in person

versus

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

Through: Mr. Yudhvir Singh Chauhan, APP for
the State with SI Narender
Mr. Sahil Lakra, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
29.11.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “BNSS”) (earlier Section 482 of the Code of Criminal Procedure, 1973) has been filed by the petitioner praying for quashing of FIR bearing No. 341/2022, registered at Police Station - Vikaspuri, Delhi, for offences punishable under Sections 279/337 of the Indian Penal Code, 1860 (hereinafter “IPC”).

2. Issue notice.

3. Learned APP for the State accepts notice on behalf of respondent no.1 and Mr. Sahil Lakra, Advocate accepts notice on behalf of respondent No.2, who is also present in Court.

4. The brief facts of the case are that on 19th May, 2022, a car bearing no. DL-3-CCC-7574 hit the respondent no. 2, thereby sustained injuries to



his shoulder. Accordingly, the respondent no. 2 registered the aforesaid FIR against the petitioner.

5. Both the parties have entered into a settlement vide statement given by the respondent no. 2 before the learned Judicial Magistrate First Class-05 (South-West), Dwarka, Delhi (hereinafter “Court concerned”) on 22nd November, 2024 and order dated 22nd November, 2024 passed by the said Court. The said statement and order are annexed as Annexure A-4 and A-5 to the instant petition, respectively.

6. Learned counsel for the parties submitted that the disputes between the parties have been settled for a sum of Rs. 1,20,000/- out of which the Rs. 20,000/- has already been paid at the time of the recording of respondent no. 2’s statement before the Court concerned. The respondent no. 2 submitted that the remaining amount of Rs. 1,00,000/- has already been paid outside the Court today.

7. The petitioner is present before this Court and has been identified by his counsel Mr. Sahil Malik and Investigating Officer (“IO” hereinafter) SI Narender, Police Station – Vikaspuri, New Delhi. The respondent No.2 is also present before this Court and has been identified by his counsel and the IO.

8. On the query made by this Court, respondent no.2/complainant 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.

9. 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 as per the Judgment of the Hon’ble Supreme Court passed in **Gian Singh vs. State**



of Punjab, (2012) 10 SCC 303. At this juncture, the petitioners appearing in-person also undertake to not repeat the same conduct in the future.

10. 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.

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

12. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioners, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 341/2022, registered at Police Station Vikaspuri, Delhi, for offences punishable under Sections 279/337 of the IPC and consequent proceedings emanating therefrom are quashed.

13. The petition along with pending applications stands disposed of.

CHANDRA DHARI SINGH, J

NOVEMBER 29, 2024

Rt/mk

Click here to check corrigendum, if any