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

+ **CRL.M.C. 9374/2024**

SH. VIPIN & ANR.

.....Petitioners

Through: Mr. Rahul Thakur, Advocate

versus

THE STATE (N.C.T. OF DELHI) & ORS.

.....Respondents

Through: Mr. Satish Kumar, APP for the State
with ASI Rohitash, P.S. Burari

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **02.12.2024**

CRL.M.A. 35959/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 9374/2024

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed on behalf of the petitioner praying for quashing of FIR bearing No. 847/2021 registered at Police Station - Burari, Delhi for offences punishable under Sections 323/324/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that a dispute arose between the petitioners and the respondent nos. 2 and 3, wherein the respondent no. 2 and 3 incurred severe injuries. Accordingly, the aforesaid FIR was registered against the petitioners.



3. With the intervention of family members and relatives, both the parties entered into settlement vide Settlement Agreement dated 9th October, 2024. The terms and conditions of the said settlement are mentioned in the Settlement Agreement which is annexed as Annexure- G to the petition.

4. The petitioners are present before this Court and have been identified by their counsel, Mr. Rahul Thakur and Investigating Officer ASI Rohitash, Police Station - Burari. The respondents no. 2 and 3 are present in the Court and have been identified by the Investigating Officer.

5. On the query made by this Court, the respondents no. 2 and 3 have categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by respondents no. 2 and 3 that the entire dispute has been amicably settled between the parties. The parties also undertook that they shall abide by the terms and conditions of the Settlement Agreement arrived at between the parties.

6. 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 Settlement Agreement dated 9th October, 2024 and as per the Judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbai vs. State of Gujarat, (2017) 9 SCC 641***.

7. 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.

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

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



10. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. 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. 847/2021 registered at Police Station - Burari, Delhi for offences punishable under Sections 323/324/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

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

CHANDRA DHARI SINGH, J

DECEMBER 2, 2024
gs/mk

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