



\$~94

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

+ **W.P.(CRL) 3750/2024**

VED PRAKASH RAI & ANR.

.....Petitioners

Through: Mr. Arman Singh, Advocate and
petitioners in court.

versus

THE STATE N C T OF DELHI & ANR.

.....Respondents

Through: Mr. Anand V Khatri, ASC for the
State with SI Kuldeep, P.S.: K. Gate.
Mr. Rohit Chauhan, Advocates for R-
2 with R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

02.12.2024

CRL.M.A. 36015/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 3750/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No. 639/2024 dated 08.10.2024 registered under sections 115(2)/126(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') at P.S.: Kashmeri Gate, Delhi.

2. The petition is premised on Settlement Deed dated 08.11.2024, whereby the petitioners and respondent No. 2 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.



4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. Though a copy of the MLC has not been placed on record, Mr. Anand V. Khatri, learned ASC appearing for the State has handed-up a copy of the MLC of respondent No.2 which records that he had sustained injuries on his arm and foot.
6. The court has interacted with respondent No.2 who states that he was administered first-aid at the Hindu Rao Hospital, Delhi and had returned home thereafter; and that he had not sustained any damage to his limbs nor suffered any kind of disability.
7. The incident that is subject matter of the FIR arose in the context of a fight between the petitioner and respondent No.2 who are all parking attendants at an MCD parking.
8. The court has also interacted with petitioners. The contesting parties have confirmed that they have now resolved the matter and a Settlement Deed dated 08.11.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
9. Mr. Khatri confirms that the State has no objection to the subject FIR being quashed.
10. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be



quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

11. While allowing the petition however, this court considers it appropriate, that by way of atonement, *each* petitioners shall pay costs of Rs.7,500/- to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi within 04 weeks.
12. Subject to the aforesaid condition, case FIR No. 639/2024 dated 08.10.2024 registered under sections 115(2)/126(2)/351(2)/3(5) of the BNS at P.S.: Kashmeri Gate, Delhi is quashed. All proceedings arising therefrom also stand closed.
13. Petitioners are directed to place on record the proof of payment of costs within 01 week.
14. The Registry is directed to verify compliance; and to bring to the notice of this court any default in respect thereof.
15. The petition stands disposed-of.
16. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 2, 2024

ds