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

+ **CRL.M.C. 9657/2024, CRL.M.A. 37063/2024 (stay)**

AMAN KUMAR & ANR.

.....Petitioners

Through: Mr. Devjyoti Dey, Adv. with both
petitioners.

versus

STATE THROUGH SHO PS GOVINDPURI & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State.
R-2 through V.C.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
09.12.2024

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CRL.M.A. 37064/2024

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

CRL.M.C. 9657/2024

3. This is a petition filed under section 528 of BNSS seeking quashing of FIR No. 1386/2015, dated 23.10.2015, registered at P.S. Govindpuri, Delhi under Sections 308/34 IPC, 1860 and all consequential proceedings emanating therefrom, if any.
4. Briefly stating the facts are that the FIR No. 1386/2015 came to be registered on the complaint of respondent no. 2/complainant, whereby it is alleged that some boys including the petitioners were pelting stones at a



Durga Pooja Programme which resulted in one of the stones hitting the complainant.

5. During the pendency of the proceedings, the parties have arrived at a settlement by executing a settlement deed on 22.05.2024, whereby the complainant has settled all the disputes and has agreed to cooperate in quashing of the aforesaid FIR.

6. It is pointed out that as per the MLC, the nature of injuries caused to the complainant are 'simple'.

7. The petitioners i.e. Mr. Aman Kumar (petitioner no.1) and Mr. Nishad (petitioner no. 2) are present in court and have been identified by their counsel, namely, Mr. Devjyoti Dey, Adv.

8. Respondent No. 2 i.e. Mr. Jitender Bidhuri is appearing through video-conferencing mode and has also been identified by Mr. Devjyoti Dey, Adv. In addition, respondent no. 2 states that he has voluntarily settled all the disputes with the petitioners and has no objection if the said FIR is quashed.

9. Since the parties have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure the ends of justice. This court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

10. For the reasons noted above, FIR No. 1386/2015, dated 23.10.2015, registered at P.S. Govindpuri, Delhi under Sections 308/34 IPC, 1860 and all consequential proceedings emanating therefrom, if any are hereby quashed.



11. The petition along with the pending application, if any, stands disposed of.

DECEMBER 9, 2024/akc

JASMEET SINGH, J