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

\+ CRL.M.C. 9962/2024

SHRI PRANTEEK UNIYAL .....Petitioner

Through: Mr. N.C. Sharma, Advocate

Versus

THE STATE N C T OF DELHI AND ANR .....Respondents

Through: Mr. Digam Singh Dagar, APP for State with W/SI Mamta, PS Dwarka
Respondent No. 2 in person (through VC)

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

O R D E R

% **18.12.2024**

1. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 259/2022 under Sections 279/338 IPC, registered at Police Station Dwarka Sector-23, New Delhi and all proceedings emanating therefrom.

2. Issue notice. Learned APP for the State accepts notice. He submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

3. The petitioner is present in Court whereas the respondent no. 2 has joined through video conferencing. They have been identified by the Investigating Officer, W/SI Mamta, Police Station Dwarka, Sector-23, New Delhi.

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4. The brief facts of the case are that on the intervening night of 29th/30th May, 2022, the respondent no. 2 after taking the delivery of food from Mahavir Enclave was going towards Dwarka. At about 11:40 p.m., when he reached Kargil Chowk, a car bearing Registration No. DL 12 CU 2792 which was coming from Sector-19, hit the respondent no. 2 on account of which the respondent no. 2 sustained injuries. This led to the registration of aforesaid FIR.

5. During the pendency of the proceedings, the parties have arrived at a settlement before the learned trial court. The terms of the settlement have been recorded in the form of statements of the complainant as well as of the accused, which are at pages 28 & 29 of the present petition and the same have been annexed as Annexure-E to the present petition.

6. As per the terms of settlement, it was agreed that the petitioner will pay a sum of Rs. 40,000/- to the complainant in full and final settlement of all his claims. The said amount of Rs. 40,000/- is stated to have been paid.

7. Respondent no.2, who has joined through video conferencing acknowledges having received the said amount and states that he has no objection in case the aforesaid FIR is quashed.

8. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

10. In view of the above, the petition is allowed and the FIR No. 259/2022 under Sections 279/338 IPC, registered at Police Station Dwarka Sector-23, New Delhi alongwith all other proceedings emanating therefrom,

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is quashed.

11. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

DECEMBER 18, 2024
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