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

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+ CRL.M.C. 10106/2024

SHIKHA MEENA & ORS.

.....Petitioners

Through: Mr. S.N. Gupta, Adv. with
petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Ms. Kiran Bairwa, APP for State and
SI Paras D., PS Hazrat Nizamuddin.
Mr. Ashish Kumar Bhagat, Mr.
Princy Chaudhary, Mr. Akash Singh,
Advs. with complainant.

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+ CRL.M.C. 10147/2024

PRANAV RATHI AND ORS

.....Petitioners

Through: Mr. Ashish Kumar Bhagat, Mr.
Princy Chaudhary, Mr. Akash Singh,
Advs. with petitioners.

versus

STATE OF NCT DELHI AND ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for State
and SI Paras D., PS Hazrat
Nizamuddin.
Mr. S.N. Gupta, Adv. with
complainant.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

23.12.2024

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CRL.M.A. 38772/2024 in CRL.M.C. 10106/2024

CRL.M.A. 38947/2024 in CRL.M.C. 10147/2024

1. Exemption allowed, subject to all just exceptions. Applications stand disposed of.

CRL.M.C. 10106/2024

CRL.M.C. 10147/2024

2. The present petitions have been filed under Section 528 BNSS for quashing of case FIR No. 311/2022 under Section 323/341/356/379/354/509/506/34 IPC and case FIR No. 313/2022 under Section 323/341/34 IPC both registered at PS Hazrat Nizamuddin and all other proceedings emanating therefrom.
3. Briefly stating, FIR No. 311/2022 under Section 323/341/356/379/354/509/506/34 IPC was registered by respondent no. 2 in CRL.M.C. 10106/2024 alleging that the incident began when the complainant, who has 75% visual impairment, discovered members of the Meena family allegedly beating a stray dog under her family's care. Upon intervention with her husband and mother, the situation escalated into a violent confrontation where Samad Meena allegedly snatched her iPhone and assaulted her. Multiple members of the Meena family, including Samad, Shikha, and their mother, allegedly attacked the complainant and her family members, with the assault only ending when family friend Gaurav Gulati intervened. After retreating to their Archies Gallery Shop, Shikha Meena, claiming to be a High Court lawyer, allegedly threatened legal consequences against the complainant's family. The complainant is now requesting an FIR to be registered against all involved parties.



In FIR No. 313/2022 under Section 323/341/34 IPC, respondent no 2 in CRL.M.C. 10147/2024, alleged that on October 14, 2022, around 5:30 PM, Pranav Rathi, Jasleen, and Jasleen's mother confronted her with caste-based slurs and threats. After initially retreating to her shop, the situation escalated when the accused parties allegedly forced their way in and physically assaulted her and her mother, pulling them out by their hair. The complaint states that Pranav Rathi and others physically attacked the complainant, with Pranav specifically accused of hitting her chest and private parts, while also tearing her mother's clothes. When the complainant's father, a senior citizen with heart disease, tried to intervene, he was also allegedly beaten. Gulati and Jasleen's uncle reportedly joined in with caste-based abuse and threats. The incident ended with the family retreating to their shop, at which point they discovered a gold chain had been broken in the assault.

4. Learned counsel for the petitioners submits that both the parties are neighbours to each other and live in the same vicinity. Learned counsel submits that during the proceedings, the parties have amicably resolved all their disputes with the help and intervention of well-wishers and common friends vide Memorandum of Understanding dated 17.09.2024 on the following terms and conditions:

“1. That the parties alongwith the respective counsel have arrived at a Settlement, the terms of which have been mentioned in the Memorandum of Understanding dated 17.09.2024 and the same shall be considered as part and parcel of the present Settlement. The copy of the said Memorandum of Understanding dated 17.09.2024 is annexed herewith as "Annexure-A".

2. It is further agreed between the parties that no Party



shall back out from the present Settlement as per the terms and conditions mentioned in the "Annexure-A" and both the parties have agreed to file the quashing petitions before the Hon'ble High Court of Delhi within 30 days from today.

3. It is also agreed between the parties that upon compliance of all the terms and conditions of the present Settlement as well as the terms Stipulated in "Annexure-A", parties have no dispute and pursue no claims qua each other or interest against each other and they shall not file any case (criminal or civil)/complaint against each other regarding the disputes arising out of present matter.

4. It is also agreed between the parties that on the basis of this settlement reached between the parties, the Parties shall request the Ld. Referral Court as well as the concerned court of the connected matter, to pass appropriate orders in terms of the present Settlement."

5. The parties are present in person and have been duly identified by the IO. The parties state that the present dispute arose over the issue of street dogs which eventually led to an altercation. The parties state that they have amicably settled all their disputes and grievances vide the settlement deed dated 17.09.2024 and do not wish to pursue the present complaints any further. The parties state that they are neighbours to each other and resolve to live peacefully in the future. The parties state that they have no objection if the present FIRs and all other proceedings emanating therefrom are quashed. The parties state that they are making the statement voluntarily against all claims (past, present and future) without any fear, force, undue influence or coercion.
6. Learned Addl. P.P. for the State submits that as per the Investigating Officer, there is no other dispute between the parties.



7. Since the dispute between the parties is predominantly private in nature and the parties have settled all the disputes amicably, in the interest of justice it would be better to put a quietus to the dispute. The chances of conviction would also be bleak and remote, given that the parties do not wish to pursue the present complaint on account of the settlement. I do not see any reason to reject the settlement.
8. Taking into account the totality of facts and circumstances, the case FIR No. 311/2022 under Section 323/341/356/379/354/509/506/34 IPC and case FIR No. 313/2022 under Section 323/341/34 IPC both registered at PS Hazarat Nizamuddin and all other proceedings emanating therefrom are quashed. However, a cost of Rs. 5,000/- is imposed on each of the petitioners to be deposited with the Delhi High Court Staff Welfare Fund.
9. In view of the above, the present petitions stand disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 23, 2024/AR/HT..