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

+ **CRL.M.C. 413/2020 & CRL.M.A. 27736/2024**

SH. RANJIT YADAV

.....Petitioner

Through: Mr. Pankaj Gupta, Adv.

versus

STATE & ORS.

.....Respondent

Through: Mr. Pardeep Gahlot, APP
SI Sachin, PS Shalimar Bagh

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

10.02.2025

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1. This is a petition seeking quashing of F.I.R No. 118 of 2011 under Sections 279/337 of IPC registered at Police Station Shalimar Bagh and any other consequential proceedings emanating therefrom.
2. It is stated that the petitioner was a driver and was driving a Santro car bearing Registration No. DL4CR 7499, which met with an accident with a motorcycle bearing registration No. DL 8S AM 4010, resulting in the death of the motorcycle rider (deceased).
3. Hence, the F.I.R was registered under Section 279 and 337 of IPC.
4. Since the motorcycle rider had succumbed to his injuries, the chargesheet was filed under Section 279 read with Section 304A of IPC.
5. During the pendency of the proceedings, the registered owner of the Santro Car, namely Mr. Kamal Luthra filed a MAC. Application No.



1126 of 2017 against the respondent Nos. 2 and 3 (i.e. the mother and the sister of the deceased) and on 31.08.2018, the parties arrived at a settlement.

6. The owner of the car agreed to pay an amount of Rs. 10 lakhs to the respondent Nos. 2 and 3 and the petitioner agreed to pay a sum of Rs. 1 lakh totalling to a sum of Rs. 11 lakhs to the respondent Nos. 2 and 3.
7. The compromise was recorded and respondent Nos. 2 and 3 had agreed to give their no objection to quashing of the F.I.R after the receipt of the entire settlement amount.
8. Hence, this Court recorded the settlement between the parties dated 05.10.2018 and also recorded that respondent Nos. 2 and 3 on receipt of the entire settlement amount would have no objection to quashing of the F.I.R.
9. Admittedly, the entire settlement amount has been paid and despite the assurance given by the respondent Nos. 2 and 3 in the order dated 05.10.2018, neither NOC has been given nor anyone is present on behalf of respondent Nos. 2 and 3 in Court today to give their statements.
10. On the last date of hearing, respondent Nos. 2 and 3 were represented by their counsel.
11. Hence, I am inclined to allow the petition in view of the settlement between the parties.
12. This Court on 05.10.2018 has already recorded that the settlement is lawful.
13. For the said reasons, the petition is allowed and F.I.R No. 118 of 2011



under Sections 279/337 of IPC registered at Police Station Shalimar Bagh against the petitioner and any other consequential proceedings emanating therefrom is hereby quashed.

14. For the said reasons, the present petition is disposed of accordingly.

JASMEET SINGH, J

FEBRUARY 10, 2025

Click here to check corrigendum, if any