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

+ CRL.M.C. 1462/2025

MANISH DUTTA

.....Petitioner

Through: Petitioner in person with Mr. Hemant Shah, Mr. Akshay Rana, Mr. Saurabh Pal, Mr. Vishal Mann, Mr. Prashant Kumar, Mr. Chetan Manchanda, Mr. Vinayak Dixit & Mr. Ojas Kaushik, Advocates

versus

STATE (NCT OF DELHI) AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP with SI Sombir, PS S.J. Enclave
Complainant in person with Sh. Sunil Kumar, Advocate through V/C

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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20.03.2025

CRL.M.A. 6552/2025 EXEMPTION FROM FILING CERTIFIED COPIES ETC.

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1462/2025

1. This is a petition under section 482 of the Code Of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, on behalf of the petitioner, seeking quashing of FIR No. 260/2022, dated 04.07.2022, P.S Safdarjung Enclave under sections 279 and 337 of Indian Penal Code, 1860 and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per prosecution case, on 04.07.2022 at about 5.30 pm, petitioner suddenly opened the driver side door of his car No. DL10-CH-6430, causing an impact to respondent No. 2, thereby, causing him injuries. Consequently, FIR No. 260/2022 under Section 279/337 IPC was registered at PS Sardarjung Enclave. After investigation, charge sheet was filed against the petitioner under Section 279/338 IPC.
3. During the pendency of the case, trial court was pleased to refer the matter to Mediation Center, Saket Courts to explore the possibility of an amicable settlement.
4. Learned counsel for the petitioner submits that the matter was amicably settled between petitioner and respondent No. 2 and as per said settlement, it was agreed between the parties that petitioner shall pay an amount of Rs. 80,000/- (Rupees Eighty Thousand Only) to respondent No. 2 towards full and final settlement amount at the time of quashing of the FIR and further, respondent No. 2 undertook to cooperate with the petitioner in quashing proceedings. Copy of the Mediation Settlement dated 03.02.2025 has been placed on record as Annexure P-2.
5. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“28.02.2025

Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Learned counsel for petitioner has handed over a Demand Draft for a sum of Rs. 80,000/- in form of Demand Draft No. 003189 drawn on Axis Bank, dated 14.02.2025 to respondent no. 2.

Put up on **06th March, 2025** for apprising this Court about realization of DD/further proceedings.”



“06.03.2025

Sh. Sunil Kumar, Ld. Counsel for Respondent no. 2 is present in person. He submits that he has instructions from R-2 to state that the demand draft handed over on the last date of hearing stands duly realized and nothing else remains due and Respondent no. 2 has no objection if FIR no. 260/2022, Under Section 279/337 IPC registered at PS Safdarjung Enclave, Delhi and all proceeding emanating there from is quashed qua the petitioners.

The statement of respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 28.02.2025.

The Mediation Settlement dated 03.02.2025 entered into between the parties is on record as Annexure – P-2 at page 24.

Respondent no. 2 states that she has no objection whatsoever if FIR no. 260/2022, Under Section 279/337 IPC was registered at PS Safdarjung Enclave, Delhi, against the petitioners is quashed.

Respondent no. 2 shall not claim any further compensation from the petitioner by way of any other civil or criminal proceedings with respect to the incident qua which the FIR was registered. Respondent no. 2 has given his affidavit of no objection for quashing of the above said FIR bearing his signatures which is on record as Annexure P-8 at page no. 54 bearing his signatures. As far as the MACT case is concerned pertaining to the accident for which the above said FIR was registered, the same has been settled in Lok Adalat in which a sum of Rs. 3,00,000/- has been awarded in his favour.

Respondent no. 2 has been identified by his counsel.

This pre-verified report along with the petition may be placed before the Hon’ble Court on **20th March, 2025** alongwith the statements recorded today.”

6. Petitioner is physically present before the Court, while respondent No. 2 appeared through video conferencing with his counsel. They have been identified by their respective counsels as well as by the Investigating Officer SI Sombir from PS Safdarjung Enclave.
7. Complainant/injured/respondent No. 2 states that the matter has been settled with the petitioner and he has no objection if the FIR is quashed against the petitioner.
8. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR is quashed.



9. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under :-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

10. In view of the aforesaid circumstances and the fact that petitioner has suitably compensated respondent No. 2 and parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 260/2022 under Section 279/337 of the Indian Penal Code, 1860, registered as PS Safdarjung Enclave and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 260/2022 under Section 279/337 of the Indian Penal Code, 1860, registered as PS Safdarjung Enclave and all the other consequential proceeding emanating therefrom, including the charge sheet pending before the court of the concerned learned Metropolitan Magistrate, Saket Courts, Delhi are hereby quashed.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J.

MARCH 20, 2025

IA/F/R/RM