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

+ **CRL.M.C. 1898/2025**

SHIVA YADAV AND ANR

.....Petitioners

Through: Counsel for Petitioners (appearance
not given) with Petitioners.

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Utkarsh, APP for the State with
SI Sandeep, PS Subzi Mandi.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **11.07.2025**

CRL.M.A. 8588/2025 (Exemption)

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

CRL.M.C. 1898/2025

3. Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*)/ under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) Section has been filed on behalf of the Petitioners, for quashing of FIR No. 244/2019 under Section 308/323/341/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Subji Mandi, Delhi and all the consequential proceedings emanating therefrom, in terms of the Settlement dated 14.11.2024.
4. Issue Notice.



5. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.

6. As per the averments in the FIR, the Petitioner No. 1 and the Respondent No. 2 are in the similar business and have their businesses opposite to each other. On the date of incident, they had an altercation in which the Petitioner No. 1, Shiva Yadav along with Ranjeet and Gagan, hit the Complainant with a *danda* on his head. Blood started flowing from the head of the Respondent No.2, at that very moment, Rakesh, brother of the Respondent No. 2 arrived and brought him to Hindu Rao Hospital.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.244/2019 under Section 308/323/341/34 IPC, got registered at Police Station Subji Mandi, Delhi. On 19.10.2019, the Petitioners were arrested and released on Bail under Section 323/341/34 IPC. On 05.09.2020, Charge-Sheet under Section 323/308/341/34 IPC, was filed before the Magistrate First Class, Tis Hazari Courts, Delhi-54. On 04.06.2024, Charges for the offence under Section 341/308/34 IPC, were framed.

8. After the intervention of the respective family members, respective societies and well wishers, the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Memorandum of Understanding (MOU) dated 14.11.2024. In the Settlement, it was inter alia settled between the parties that the Petitioners shall pay a sum of Rs.20,000/- towards full and final settlement of all the claims of the Respondent No. 2. It is also settled that they shall not raise any claim or right against each other.

9. Today, the Respondent No. 2, who is present in the Court, states that he has received all amounts due to him and has no objection if the said FIR



is quashed.

10. The parties have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

11. Considering that it was an altercation which happened between the Petitioners and the Respondent No. 2 towards similar businesses and have their shops opposite to each other, the FIR No. 244/2019 under Section 308/323/341/34 IPC, registered at Police Station Subji Mandi, Delhi and all the consequential proceedings emanating therefrom are quashed,

12. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

JULY 11, 2025/RS