



\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 % **Date of decision: 21st February, 2025**

+ **CRL.M.C. 3201/2021**

1. MONU
S/o Late Madan LalPetitioner No.1
2. AMIT @ SUNNY
S/o Late Gabbar singhPetitioner No. 2
3. AKASH KUMAR @ LINDA
S/o Sh. Surjeet SinghPetitioner No. 3

Through: Ms. Sakshi, Ms. Anuradha and Ms. Anamika, Advocates with Petitioners in person.

versus

1. THE STATE
Govt. of NCT of DelhiRespondent No.1
Through: Mr. Shoaib Haider, APP for the State with W/SI Sanju Kumari, PS Palam Village with Complainant.
2. SH. VIKRAM KUMAR JHA
S/o Sh. Shatrughan JhaRespondent No. 2

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

JUDGMENT (oral)

1. The present Petition under Article 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*) has been filed on behalf



of the Petitioners for quashing of FIR No. 327/2016 under Section 308/325/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Palam Village, New Delhi and the proceedings emanating therefrom.

2. Issue notice.

3. On advance Notice, Mr. Shoaib Haider, learned APP accepts notice on behalf of the State.

4. Briefly stated, on 26.08.2016, the Complainant/Respondent No.2 went to see the House for rent in Gali No. 5, Mahavir Enclave at around 6:00 p.m. The Petitioners and the Complainant were friends and neighbours. Thereafter, he had been taken to the park by one Sonu (since deceased). Sonu sent Sunny and asked for beer, then Sonu said that this is the boy. There were already some boys drinking alcohol and some playing games. He was called first to drink alcohol with them. Thereafter, Sonu along with some other accused persons gave him beatings. Resultantly, the Complainant received injuries due to the acts of Sonu. There were punches on nose and some injuries on the head of the Complainant.

5. On 29.08.2016, on the Complaint of the Respondent No. 2, FIR No. 327/2016 under Section 308/325/34 of the IPC got registered at Police Station Palam Village, New Delhi

6. With the intervention of the parents, friends and neighbours and respectable members of Society, the Petitioners and the Complainant have amicably settled all the disputes and differences between them and arrived at Settlement *vide* MOU dated 11.06.2024 wherein it was *inter alia* settled between the parties that the Petitioners shall pay a sum of Rs.1,10,000/-



towards full and final settlement of all the claims of the Respondent No. 2/Complainant, in two instalments. It is also stated in the MOU that the Petitioners will be paid first instalment of Rs.50,500/- to the Complainant, after 1st July, 2024 and the second instalment of Rs.50,500/- will be paid before the High Court of Delhi. A request for quashing of the said FIR has been made on account of the Settlement *inter se* the parties.

7. Pursuant to the MoU dated 11.06.2024, the settlement amount of Rs.1,10,000/- has been handed over in cash by the Petitioners to the Respondent No. 2/Complainant in the Court today and the same has been accepted by the Respondent No. 2.

8. In view of the MOU dated 11.06.2024, the present Petition has been filed.

9. The parties are present before this Court in-person today and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

10. The parties have submitted that all the disputes have been amicably settled *vide* MOU dated 11.06.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* MOU dated 11.06.2024 and they also submit that the said Settlement has been arrived between the parties, without any pressure and coercion.

12. Today, the Respondent No. 2/Complainant, who is present in the



Court, states that he has received all amounts due to him and has no objection if the FIR is quashed.

13. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

14. Moreover, there is no legal impediment in quashing the FIR in question.

15. Accordingly, FIR No. 327/2016 of the offence punishable under Section 308/325/34 of the IPC registered at Police Station Palam Village, New Delhi and all consequential proceedings emanating therefrom are quashed.

16. The Petition stands disposed of.

(NEENA BANSAL KRISHNA)
JUDGE

FEBRUARY 21, 2025/RS