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

+ CRL.M.C. 845/2017, CRL.M.A.3569/2017 (stay)

MAHENDER YADAV & ORS.

.....Petitioners

Through: Mr. G.S. Mani, Ms. Yasmeen, Mr. Ashok Kumar Rai and Mr. Ashif Azam, Advocates.

versus

STATE & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State.
Mr. Naveen and Mr. Satendra Singh, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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16.05.2025

CRL.M.C. 845/2017

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*) has been filed on behalf of the Petitioners, for quashing of the Complaint Case No. 101/12 and Summoning Order dated 12.07.2016 of the learned CMM, Karkardooma Courts, Delhi registered at Police Station Pandav Nagar and all the consequential proceedings emanating therefrom.
2. Issue Notice.
3. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.
4. Briefly stated, the Petitioners are the tenant and the Respondent No. 2/Complainant is the landlord. The Petitioner No. 1 is an auto driver by

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profession. It is stated that on 26.07.2012 at around 7:00 a.m., when the Petitioner No. 1 was cleaning his shop then the Respondent No. 2 along with his brother, Mr. Prem Chand and two cousin, Mr. Bhupendra and Mr. Jagpal came at the shop of the Petitioner. The Respondent No. 2 caught hold him and his cousins started beating to the Petitioner No. 1. Resultantly, Petitioner No. 1 sustained serious injuries at his head.

5. On 26.07.2012, on the Complaint of the Petitioner No. 1, FIR No. 310/2012 under Section 341/323/308/34 IPC got registered at Police Station Pandav Nagar against the Petitioners.

6. Settlement Deed has been filed by learned counsel for the Petitioners in the Court today. Let the same be taken on record.

7. The matter has been amicably settled between the parties vide Settlement Deed on 15.05.2025, which bears the signatures of all the parties and both the parties have settled all their grievances. In the Settlement Deed, it was agreed between the parties that the Petitioners shall pay the total amount of Rs.4,30,000/- to the Respondent No. 2 in two instalments. It was also agreed that the first instalment of Rs.2,30,000/- shall be paid by the Petitioners to the Respondent No. 2 on 13.05.2025 before the learned Trial Court and the second instalment of Rs.2,00,000/- shall be paid by the Petitioners to the Respondent No. 2 on 16.05.2025 before this Court. It was further agreed that the parties shall withdraw all the pending cases against each other.

8. The parties are present in person and have been identified by their learned counsel and the Investigating Officer concerned. It is submitted by learned Counsel for the Respondent No. 2 that the amount of Rs.2,00,000/- has been received by way of Demand Draft, dated 14.05.2025 in favour of

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Mohan Lal, issued by the State Bank of India, Branch, Noida and the remaining balance amount shall be paid by the Petitioners before the learned Trial Court.

9. The Statements of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

10. Considering the nature of the allegations and that they have settled the matter, the Complaint Case No. 101/12 and Summoning Order dated 12.07.2016 of the learned CMM, Karkardooma Courts, Delhi registered at Police Station Pandav Nagar, as well as, the FIR No. 310/2012 under Section 341/323/308/34 IPC registered at Police Station Pandav Nagar and all the consequential proceedings emanating therefrom are quashed.

11. The Petition is disposed of accordingly along with the pending Application.

NEENA BANSAL KRISHNA, J

MAY 16, 2025/RS