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

% *Date of Decision: 21.08.2025*

+ **CRL.M.C. 5792/2025 & CRL.M.A. 24787/2025**

MAYANK SHARMA AND ORSPetitioners

Through: Ms. Renu, Ms. Humaira Salam and
Ms. Swagata, Advocates with
petitioners in person.

versus

STATE OF NCT OF DELHI AND ORSRespondents

Through: Mr. Nawal Kishore Jha, APP for the State with ASI Rajender Singh Ms. Sonu Kumari, Ms. Tanya Qureshi, Advocates for R-2 & R-3 (through videoconferencing)

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioners seek quashing of case FIR No. 177/2024 of PS Kotla, Mubarakpur for offence under Section 354/323/341/427/34 IPC on the ground that the complainant *de facto* (respondent no.2) and victim/respondent no. 3 have settled the disputes with the petitioners.

2. Broadly speaking, this is a case of road rage where side view mirror of car being driven by complainant *de facto* slightly brushed by the side of one of the petitioners, after which those 5-6 boys (*petitioners herein*) started violently hitting the car and assaulting the complainant *de facto* as well as

CRL.M.C. 5792/2025

Page 1 of 3 pages

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his sister and nine year old niece of the complainant *de facto*, who were sitting in the car. All through, the complainant *de facto* and his sister kept apologising but the petitioners were apparently under the influence of alcohol.

3. Respondent no. 3 on her behalf and as authorized representative of respondent no.2, who is in Bangalore accepts notice. She is present through videoconferencing and is identified by IO/ASI Rajender Kumar.

4. Learned APP also accepts notice and submits that State does not have any serious objection to this petition but in view of the nature of the incident, some deterrent order be passed.

5. Respondent no.3 has explained that it was a traumatising experience for her as well as her nine year old daughter and they do not want to relive that experience by repeatedly visiting the trial court for their testimony. She further explains that one of the petitioners expressed regret, so they have decided to pardon the petitioners.

6. Road rage does not just cause physical hurt. It causes immense mental agony and a terrible feeling of helplessness to the victim. Especially, the young child would not be able to ever forget that experience.

7. Considering the overall circumstances, I am satisfied that it would be in the interest of justice not to push the parties through trial but there should be some deterrence so that petitioners never repeat such a misconduct.

8. The petition is allowed subject to each of the petitioners depositing



2025:DHC:7155



cost of Rs. 25,000/- with DHCLSC within one week and accordingly the FIR No. 177/2024 of PS Kotla, Mubarakpur for offence under Section 354/323/341/427/34 IPC and proceedings arising out of the same are quashed.

9. Pending application also stands disposed of.

10. Copy of this order be sent to the learned trial court so that if within 10 days cost receipts are not filed before the trial court, the trial proceedings shall continue.

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**GIRISH KATHPALIA
(JUDGE)**

**AUGUST 21, 2025
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