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

+ CRL.A. 904/2018 & CRL.M.A. 8047/2019

ARUN & ANR

.....Appellants

Through: Mr. Vivek Chandra
Jaiswal and Ms. Prakriti
Gupta, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh,
APP for the State with SI
Azad Singh Malik, PS
Mayur Vihar.
Complainants in person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **23.05.2025**

1. The present appeal is filed by the appellants challenging the judgment of conviction dated 06.08.2018 (hereafter '**impugned judgment**') and order on sentence dated 08.08.2018 (hereafter '**impugned order on sentence**'), passed by learned Additional Sessions Judge, in Sessions Case No. 1221/2016 arising out of FIR No. 48/2012 registered at Police Station Mayur Vihar.

2. By the impugned judgment, the appellants were convicted for offences under Section 324 read with Section 34 of the Indian Penal Code, 1860 ('**IPC**') and Section 325 read with Section 34 of IPC.

3. By the impugned order on sentence, the appellants were sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of ₹1,500/-, and in default of payment of fine, to undergo simple imprisonment for a period three months



for offence under Section 324 read with Section 34 of the IPC. The appellants were also sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹500/- for the offence under Section 324 read with Section 34 of IPC and in default of payment of fine, to undergo simple imprisonment for a period of one month. All the sentences were directed to run concurrently.

4. The complainants are present in the Court and state that they do not wish the appellants be sentenced any further. They submit that the complaint at the relevant time was given in regard to an altercation between the parties. The victims are the father-in-law and brothers-in-law of the accused Ravi. The accused Ravi appears to be embroiled in a matrimonial dispute with the daughter of complainant Chhote Lal, which led to certain altercation between the parties.

5. The complainant Chhote Lal on being asked states that the dispute has been settled between them and his daughter is now happily residing with the appellant Ravi and he prays that the proceedings against the appellants be put to rest.

6. It is trite law that criminal proceedings involving non-heinous offences or where the offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has already been concluded or appeal stands dismissed against conviction. Handing out punishment is not the sole form of delivering justice.

7. It is implicit that in situations where a settlement is reached after a conviction, the Courts must exercise their discretion judiciously. This requires careful consideration of the context in which the incident occurred, the manner in which the compromise was achieved, and assessment of the gravity and



seriousness of the offence. Additionally, the court should take into account the behaviour of the accused both prior to and following the incident.

8. Keeping in view the nature of dispute and the fact that the parties have amicably settled the dispute, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court.

9. In view of the above, the appeal is allowed and the impugned judgment and impugned order on sentence are set aside.

10. Additionally, the appellants are also directed to pay a cost of ₹10,000/- to the Delhi Police Welfare Society, within a period of four weeks from date.

11. Pending applications also stands disposed of.

AMIT MAHAJAN, J

MAY 23, 2025

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