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

% ***Date of Decision: 28th April, 2026***

+ CRL.M.C. 152/2023

SHRI RAKESH@ARUN

.....Petitioner

Through: Ms. Khushi Gupta, Advocate along
with petitioner-in-person

versus

STATE (G.N.C.T OF DELHI) & ORS.Respondents

Through Ms. Priyanka Dalal, APP for State/R-1
with SI Amit, PS S.P. Badli
Mr. Nishant Rajora, Ms. Sheetal and
Mr. Manoj, Advocates for respondents
along with respondents

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner seeks quashing of FIR No. 81/2011 dated 27.02.2011, registered at Police Station Samaipur Badli, for commission of offences under Sections 279/337 IPC, along with all consequential proceedings emanating therefrom, on the basis of compromise arrived at between the parties. Since the injured succumbed to injuries, offence under Section 304A IPC was added in the charge-sheet.
2. The present petition was taken up for the first time on 11.01.2023 and though petitioner had agreed to make payment as per terms of settlement recorded in *Mediation Order* dated 29.11.2022, the abovesaid amount was not paid within the stipulated period.



3. Charge-sheet has already been filed and case is, reportedly, at the stage of Prosecution Evidence.
4. As per prosecution, petitioner was driving motorcycle at a high speed and in rash or negligent manner and while driving so, he could not control his motorcycle and hit a pedestrian which resulted in his unfortunate death.
5. When the matter was referred to Mediation, parties were able to settle disputes amicably under the *ageis* of *Delhi Mediation Centre, Rohini District Courts, Delhi* and the petitioner agreed to make a payment of Rs. 2,30,000/- to the legal heirs of the deceased, as compensation towards the present case as well as Motor Accident Claims Tribunal (MACT) claim.
6. During course of the consideration, learned counsel for petitioner submitted that a sum of Rs. 7,20,000/- was also paid to LRs of victim towards the claim in question by the petitioner, as his motorcycle was not insured. She submits that with respect to aforesaid claim, an Execution Petition was filed and such Execution Petition has been disposed of, as fully satisfied and the entire amount has been paid. Copy of the Award passed by learned Motor Accident Claim Tribunal was also shown and as per such Award dated 20.02.2015, petitioner herein had been directed to pay compensation of Rs. 5,75,307/- along with interest @ 9% per annum w.e.f. 14.11.2011 till its realization.
7. Affidavits of all legal heirs have also been placed on record along with quashing petition and they submit that matter has been amicably settled. With respect to the aforesaid amount of Rs. 2,30,000/-, as agreed before the *Delhi Mediation Centre, Rohini District Courts, Delhi*, petitioner had already paid a sum of Rs. 1,15,000/- only and the balance amount of Rs. 1,15,000/- has been



paid today by way of Demand Draft dated 02.03.2026 drawn on Punjab National Bank, Holambi Kalan, Delhi favouring Ms.Balwant.

8. Respondent No. 2 is present with her one son-Mr. Raj Kumar and they have reiterated the terms of settlement and submit that now the entire compensation, in terms of *Mediation Order* dated 29.11.2022, has been received. They also submit that they have entered into settlement of their own free-will and without any pressure, force, coercion and undue influence from any corner whatsoever. They also submit that in view of the amicable settlement, they do not want to pursue the aforesaid matter anymore and would have no objection if FIR in question is quashed.

9. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose.

10. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.

11. Consequently, to secure the ends of justice FIR No. 81/2011 dated 27.02.2011, registered at Police Station Samaipur Badli, for commission offences under Sections 279/337 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed. Original affidavits of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court within two weeks from today, so that these become part of Trial Court Record.

12. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 28, 2026/dr/sa