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

+ **CRL.M.C. 5713/2023**

KRISHAN AND ANR.

..... Petitioners

Through: Mr.Deepak Khatri, APP for State with
petitioners in person.

Versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Shoaib Haider, APP for State with
ASI Sohan Singh, PS. Aman Vihar.
Mr.Sunil Rai, Advocate for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

14.12.2023

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1. The present petition has been filed seeking quashing of FIR No. 699/2022 under Sections 279/338/307/34 of the Indian Penal Code, 1860 (IPC) and Sections 146/196 and 56/192 of the Motor Vehicles Act, 1988 (MV Act) registered at Police Station Aman Vihar, Delhi and the consequential proceedings emanating therefrom on the ground of settlement.
2. The FIR in the present case was registered on account of an incident of road rage whereby the petitioners beat up the respondent no.2. It is the case of the petitioners that the parties have settled all their disputes and differences in terms of the Settlement Deed dated 23rd August, 2022, which is filed as Annexure P-4 to the present petition. In terms of the settlement, a sum of Rs.5,00,000/- has been paid by the petitioners to the respondent no.2.



3. The petitioners are present in Court and have been identified by their counsel and the Investigating Officer (IO). The petitioners agree to abide by the terms of the settlement arrived at between the parties as recorded in the Settlement Deed.

4. The respondent no. 2 is present in Court and has been identified by his counsel and by the IO. He informs the Court that he has settled the matter of his own free will and without any coercion. He further states that he does not wish to pursue the present FIR any further and has no objection if the present petition is allowed.

5. Applying the principles laid down by the Supreme Court in SLP (CRL.) No. 5806/2022 in *Kapil Gupta v. State of NCT of Delhi & Anr.* and taking note of the fact that only the chargesheet has been filed and charges are yet to be framed and considering that the above Settlement between the parties, there is no use continuing with the proceedings under the present FIR. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

6. Even though the matter has been settled, the petitioners on account of their acts and omissions have wasted considerable time of the police and the courts in the present matter. In these circumstances, the petitioners would be liable to pay costs, which would be utilized for socially beneficial causes.

7. Accordingly, the present proceedings under FIR No. 699/2022 registered at Police Station Aman Vihar, Delhi and the proceedings pursuant thereto are hereby quashed subject to the petitioners paying costs of Rs.50,000/- to Advocate Welfare Fund, Rohini Courts Bar Association within two weeks from today.

8. The necessary Compliance Report may be filed with the Registry



within two weeks thereafter.

9. The petition stands disposed of.

DECEMBER 14, 2023

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AMIT BANSAL, J