



2025:DHC:5504



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 11.07.2025
+ CRL.M.C. 4536/2025
DAMAN PREET SINGH

.....Petitioner

Through: Mr. Sameer Sidhar, Adv. along
with petitioner.

versus

THE STATE OF NCT OF DELHI AND ANR

.....Respondent

Through: Ms. Meenakshi Dahiya, APP
with SI Ankur, PS Tilak Nagar.
Mr. Rohit Pandey, Father of R-
2 in person.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioner, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 838/2021 dated 18.11.2021 for the offences punishable under Sections 279/337 of the Indian Penal Code, 1860, registered at Police Station Tilak Nagar (“subject FIR”) and all the consequential proceedings arising therefrom.

2. The learned counsel for the petitioner submits that on 31.10.2021, an accident took place involving a car driven by the petitioner, in which, the petitioner, while recklessly driving his car, hit



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the respondent no. 2, leading to registration of the subject FIR.

3. He further submits that, in addition to the registration of the subject FIR, the petitioner had also instituted a claim before the Motor Accident Claims Tribunal (MACT) bearing Case No. 427/2022. In the said proceedings, father of the respondent no. 2 has received Rs. 2,35,000/- as compensation, pursuant to a Judgment pronounced on 06.03.2023.

4. The learned counsel submits that, in the meanwhile, during the pendency of the litigation between the parties, they filed joint application for settlement before the Court of learned Metropolitan Magistrate (MM), on the basis of the said application moved by the parties, they have arrived at an amicably and voluntary resolution of their disputes arising out of the said accident and that no further dispute subsists in relation thereto.

5. He submits that on the basis of the said compromise/settlement, the offences punishable under Sections 338 of the Indian Penal Code, 1860, has been duly compounded before the learned Trial Court *vide* Order dated 13.02.2023, and the present petition has now been filed seeking quashing of the remaining offence under Section 279 of the Indian Penal Code, 1860.

6. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Settlement dated 30.01.2023 has been arrived at between the petitioner and the respondent no. 2.



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Moreover, the parties have undertaken that there is no other litigation emanating out of the said incident, is pending before any other Judicial fora.

7. In terms of the said settlement, the petitioner has agreed to pay a sum of Rs. 60,000/- to the respondent no. 2, as compensation for the medical expenses incurred to the respondent no. 2. The said settlement dated 30.01.2023 has been placed on record. The father of the respondent no. 2 has undertaken to withdraw all the litigations pending before Judicial Fora.

8. Pursuant to the said settlement, the parties appeared before this Court, the Investigating Officer has duly identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

9. The father of the respondent no. 2/injured minor child, who is present before this Court, upon being queried, confirms that the said settlement, has been entered out of his free will, without any coercion, force or undue influence. He further state that he has received MACT claim from the Insurance Company and the petitioner had also paid the amount of Rs. 60,000/- towards medical expenses of the injured minor child and the child has recovered. He further states that he is satisfied with the compensation received, both, in the MACT proceedings as well as from the petitioner, pursuant to the said settlement and he does not wish to pursue the present case, any further, against the petitioner. He further states that no other litigation is pending between the parties and he has no objection if the subject



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FIR and all consequential proceedings arising therefrom are quashed.

10. In view of the foregoing, the learned counsel for the petitioner and father of respondent no. 2, jointly prayed for quashing of the subject FIR.

11. The learned APP on behalf of the State submits that there is no objection if the subject FIR is quashed.

12. In view of these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

13. In conspectus of the above facts and the Settlement dated 30.01.2023, the subject FIR bearing No. 838/2021 dated 18.11.2021 for the offences punishable under Sections 279/337 of the Indian Penal Code, 1860, registered at Police Station Tilak Nagar and all consequential proceedings emanating therefrom, are hereby quashed.

14. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

JULY 11, 2025/ss/kp