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

+ **W.P.(CRL) 364/2023**

**DHARMENDER GAUTAM & ORS.**

..... Petitioners

Through: Mr. Sanjeev Gupta and Mr. Rahul  
Gaur, Advocates.

versus

**THE STATE & ANR.**

..... Respondents

Through: Mr. Rahul Tyagi, ASC (CRL.) for the  
State with Mr. Jatin, Ms. Preeti and  
Mr. Aashish Chojar, Advocates.

Mr. Rahul Gaur with Mr. Sanjeev  
Gupta, Advocates for respondent  
No.2 with respondent No.2 in person.

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***Date of Decision: 08<sup>th</sup> February, 2023.***

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**J U D G M E N T**

**DINESH KUMAR SHARMA, J. (Oral)**

1. Present petition has been filed for quashing of FIR No. 370/2021 registered under section 354/354(B)/324/34 IPC at Police Station Kamla Market.

2. Briefly stated, the facts of the case are that the FIR 370/2021 was lodged on the basis of the complaint of respondent No.2/complainant. It has

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been stated that the FIR 370/2021 arises out of a personal family dispute wherein, some personal discord erupted and an altercation took place between the parties. The parties are closely related as petitioner Nos.1 and 3 are the cousins of the complainant whereas petitioner No.2 is the paternal uncle of the complainant.

3. It is submitted that the parties have reached at an amicable settlement. The respondent No.2 is present and is identified by the Investigating Officer. She states that she has married and now wants to put a quietus to this case. The settlement deed dated 07.01.2023 is on record and terms and conditions of the same are as follows:

- “1. That the first party with his own free will and without any pressure have entered into an settlement with the second party and the first party does not want to pursue the said case against the second party before the court of law and the first party have no grievances against the second party in any manner whatsoever.*
- 2. That it is further submitted now the matter has been settled between the parties and the first party undertakes to withdraw the same and shall not continue the said complaint against the second party.*
- 3. That the first party shall execute and file affidavit to the effect that she would have no objection, if Hon’ble Court quashes the FIR No.370/21.*
- 4. That the first party shall cooperate with the second party when they will file quashing petition for FIR No.370/21 before Hon’ble High Court or at the time any time as and need arises.*
- 5. That both the parties shall refrain from lodging/pursuing any case/complaint against each other before any court*

*or authority. Now the matter has been settled and no party can claim anything against the other party.*

6. *That both the parties have arrived at compromise mentioned above out of their own free will without any force and coercion from any quarter.”*

4. It has been repeatedly held by the Hon’ble Supreme Court and this Court that when the chances of an ultimate conviction are bleak and, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, and where the court may be of the opinion that a settlement between the parties would lead to better relations between them, the Court may exercise power under section 482 Cr.P.C. for quashing the proceedings or the complaint or the FIR as the case may be.

5. I consider that there would be no purpose of continuing with the proceedings. The parties have amicably settled the matter. In view of the settlement deed along with the facts and circumstances of the case, FIR no. 370/2021 registered under section 354/354(B)/324/34 IPC at PS Kamla Market and all other proceedings emanating therefrom are quashed.

6. The present petition is disposed of

**DINESH KUMAR SHARMA, J**

**FEBRUARY 08, 2023**  
**st**