



\$~51

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

+ **CRL.M.C. 286/2024 & CRL.M.A. 1123-24/2024**

JAIDEEP SINGH KALRA

..... Petitioner

Through: Mr Tarun Biswal, Mr Shantanu Garg
and Mr Jaideep Singh, Advocates
along with petitioner in person.

versus

STATE AND ANR

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Sangeeta, Police Station
Mukherjee Nagar.
Mr F. Thakur and Mr Sanjeevan
Kumar, Advocates for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

12.01.2024

CRL.M.A. 1124/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 286/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0291/2022 under Sections 354/506/509 IPC registered at Police Station Mukherjee Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Issue notice. The learned APP for the State accepts notice. He submits



that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

4. The petitioner , as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Sangeeta, Police Station Mukherjee Nagar.

5. The brief facts of the case are that on 28.02.2022, the FIR was registered on the basis of allegations made by the complainant that the petitioner herein whom she met through social media platform molested her and threatened her to marry him.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of MoU/Settlement dated 19.10.2023, which is annexed as Annexure-P/4 to the present petition.

7. It is recorded in the settlement that the parties have amicably resolved all their disputes and the respondent no.2 shall cooperate with the petitioner for the quashing of the present FIR.

8. The respondent no.2, on a query put by the Court, affirms that the settlement has been arrived at between the parties and she has no objection in case the aforesaid FIR is quashed.

9. At this stage, apt would it be to refer to the observations of the Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303: (SCC p. 340, para 58)***

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in



the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

10. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will be an exercise in futility.
11. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.0291/2022 under Sections 354/506/509 IPC registered at Police Station Mukherjee Nagar alongwith all other proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 12, 2024
MK