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

+ CRL.M.C. 460/2024

VINOD KUMAR GUPTA & ORS. Petitioners

Through: Mr. Pramod Kumar Sah, Adv. with
petitioners in person

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondent

Through: Mr. Raj Kumar, APP for State with
W/SI Usha Yadav P.S. Mehrauli
Mr. Siddharth Kumar and Ms. Rekha
Rani Dey, Advs. for R2 with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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19.01.2024

18. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.111/2017 under Sections 323/341/354B/354/506/34 IPC registered at Police Station Mehrauli, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

19. Issue notice. The learned APP for the State accepts notice. He submits that since the parties are neighbours and they have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

20. The petitioners no.1 - 5, 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 W/SI Usha Yadav P.S. Mehrauli.

21. The brief facts of the case are that the respondent no. 2 / complainant lives on the 3rd Floor in the building A-52, FFC, Neb Sarai. The petitioner and his brother live on the 2nd Floor. A quarrel took place regarding the parking issue between the residents of the same building and the petitioners misbehaved with respondent no. 2, which led to the registration of the aforesaid FIR.

22. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 03.10.2023, which is annexed as Annexure P3 to the present petition.

23. It is recorded in the settlement that the parties have amicably resolved their disputes. It is also a term of the settlement that respondent no. 2 shall cooperate with the petitioners for quashing of the FIR.

24. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

25. 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.”

26. 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.

27. 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.

28. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

29. Consequently, the petition is allowed and the FIR No.111/2017 under Sections 323/341/354B/354/506/34 IPC registered at Police Station Mehrauli, Delhi alongwith all other proceedings emanating therefrom, is quashed.

30. The petition stands disposed of in the above terms.

31. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 19, 2024
N.S. ASWAL