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

+ **CRL.M.C. 505/2024**

FAIZAN @ POLI

..... Petitioner

Through: Mr Faheem Alam, Advocate along
with petitioner in person.

versus

**THE STATE GOVT OF NCT OF DELHI
AND ORS.**

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Kailash, PS Shaheen Bagh.
Respondent nos.2 & 3 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
22.01.2024

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CRL.M.A. 1991/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 505/2024 & CRL.M.A. 1992/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0168/2022 under Sections 308 IPC registered at Police Station Shaheen Bagh 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 injuries suffered by the victims were simple in nature and further since the parties have arrived at 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 the Investigating Officer SI Kailash, PS Shaheen Bagh.

5. The brief facts of the case are that on the night of 17-18/04/2022 at about 12:00 AM, the respondent no.2, namely, Manzur was present at his house and his son, i.e., respondent no.3 was sitting in the tea shop owned by him. The petitioner/accused along with two of his associates went to his shop under the influence of liquor and started misbehaving with respondent no.3. Respondent no.3 called his father to his shop and when the respondent no.2 reached there, the petitioner along with his two associates started beating respondent no.2 and 3 due to which they suffered injuries. This led to the registration of aforesaid FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement/Compromise Deed dated 24.11.2023, which is annexed as Annexure P-3 to the present petition.

7. It is recorded in the settlement that the parties have settled all their disputes amicably. It is also a term of settlement that the respondent no.2 shall cooperate with the petitioner for quashing of the aforesaid FIR.

8. The respondent nos.2 and 3, on a query put by the Court, state that they have no objection in case the 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.0168/2022 under Sections 308 IPC registered at Police Station Shaheen Bagh 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 22, 2024
MK