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

+ **CRL.M.C. 670/2024**

PANKAJ KUMAR & ORS

..... Petitioners

Through: Mr Sri Bhagwan Sharma, Advocate
along with petitioners in person.

versus

STATE AND ANR

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Meena Kumari, PS Dabri.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **29.01.2024**

CRL.M.A. 2744/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 670/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0729/2017 under Sections 354A/509/323/506/34 IPC registered at Police Station Dabri 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 are neighbours and have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

4. The petitioners, as well as, respondent no. 2 are present in the Court



and they have been identified by the Investigating Officer SI Meena Kumari, PS Dabri.

5. The brief facts of the case are that on 22.11.2017, the petitioner misbehaved with the respondent no.2 and her family members which 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 Memorandum of Understanding dated 09.01.2020, which is annexed as Annexure-E to the present petition.

7. In terms of the said settlement, the parties decided to maintain cordial relationship with each other's family members and decided to settle all their disputes.

8. It is a term of the settlement that the respondent no.2 shall cooperate in quashing of the aforesaid FIR.

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

10. 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.”

11. In view of the settlement between the parties, the ultimate chances of



conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.

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.0729/2017 under Sections 354A/509/323/506/34 IPC registered at Police Station Dabri 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 29, 2024
MK