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

+ **CRL.M.C. 672/2024**

MOHD JAVED

..... Petitioner

Through: Mr Faisal Khan, Advocate along with
petitioner in person.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Parvesh, PS Jagatpuri.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

29.01.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0721/2023 under Sections 323/341/504/506 IPC registered at Police Station Jagatpuri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner, as well as, respondent no. 2 are present in the Court and they have been identified by the Investigating Officer SI Parvesh, PS Jagatpuri.
4. The brief facts of the case are that on 17.12.2023, respondent no. 2



went to Chander Nagar Park where he met the petitioner and started playing cards with the petitioner. Due to some misunderstanding, the petitioner abused the respondent no.2 due to which heated arguments took place and it escalated to a scuffle. This led to the registration of the present FIR.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise/Settlement dated 12.01.2024, which is annexed as Annexure P-4 to the present petition.

6. In terms of the said settlement, the parties have sorted out all their disputes. It is also a term of the settlement that the respondent no.2 shall cooperate in quashing of the aforesaid FIR.

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

8. 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.”

9. 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.



10. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
11. Consequently, the petition is allowed and the FIR No.0721/2023 under Sections 323/341/504/506 IPC registered at Police Station Jagatpuri alongwith all other proceedings emanating therefrom, is quashed.
12. The petition stands disposed of in the above terms.
13. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 29, 2024
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