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

+ **W.P.(CRL) 295/2024**

**RAJENDER KUMAR @ RAJINDER KUMAR** ..... Petitioner

Through: Mr Santosh Dixit, Advocate along  
with petitioner in person.

versus

**GOVT. OF N.C.T. OF DELHI & ANR.** ..... Respondents

Through: Mr Sanjay Lao, Standing Counsel for  
the State with Ms Priyam Aggarwal,  
Advocate with W/ASI Asha, PS M. S.  
Park.  
Ms Lalita, Advocate for R-2 along  
with R-2 in person.

**CORAM:**

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

**ORDER**

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**29.01.2024**

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0106/2021 under Sections 323/354/354A/354B/506/509 IPC registered at Police Station M. S. Park and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned Standing Counsel 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 their respective counsel and by the



Investigating Officer W/ASI Asha, PS M. S. Park.

4. The brief facts of the case are that on 2.04.2021, respondent no.2 went to see her ailing aunt. After she entered her aunt's house, her son, i.e., the present petitioner herein was standing in front of the gate and he did not allow the respondent no.2 to enter the house and used filthy language and also tried to molest the respondent no.2. This led to the registration of the aforesaid 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 Deed dated 22.01.2024, which is annexed as Annexure-4 to the present petition.

6. In terms of the said settlement, the parties undertake not to interfere in the peaceful life of each other and to maintain peace and tranquillity in the society in future.

7. It is also a term of the settlement that the respondent no.2 will cooperate in quashing of the aforesaid FIR.

8. The respondent no.2, on a query put by the Court, states that she has 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 not serve any useful purpose and it will be an exercise in futility.

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

12. Consequently, the petition is allowed and the FIR No.0106/2021 under Sections 323/354/354A/354B/506/509 IPC registered at Police Station M. S. Park alongwith all other proceedings emanating therefrom, is quashed.

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

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

**VIKAS MAHAJAN, J**

**JANUARY 29, 2024**  
**MK**