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

+ **W.P.(CRL) 346/2024**

ASHU & ORS.

..... Petitioners

Through: Mr Chetan, Advocate along with
petitioners in person.

versus

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

..... Respondents

Through: Mr Sanjay Lao, Standing Counsel for
the State with Ms Priyam Aggarwal,
Advocate for State with SI Sanjay, PS
Jyoti Nagar.
Ms Deepika, Advocate for R-2 along
with R-2 in person.

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

ORDER
01.02.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.0011/2019 under Sections 308/506/34 IPC registered at Police Station Jyoti Nagar 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 petitioners, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel, as well as, by the



Investigating Officer SI Sanjay, PS Jyoti Nagar.

4. The brief facts of the case are that a quarrel took place between the petitioners and the respondent no.2, who are neighbours, which led to the registration of aforesaid FIR at the instance of the respondent no.2.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 29.08.2023, copy of which is annexed as Annexure-3 to the present petition.

6. In terms of the said settlement, the parties have amicably settled all their disputes in the presence of common friends and relatives.

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

8. The respondent no.2, on a query put by the Court, states that he 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.0011/2019 under Sections 308/506/34 IPC registered at Police Station Jyoti Nagar 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

FEBRUARY 1, 2024

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