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

+ **CRL.M.C. 1355/2024**

SUMIT & ORS.

..... Petitioners

Through: Mr. Sarthak Yadav and Mr. Kapil
Yadav, Advs. with petitioners in
person

versus

THE STATE NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Surjeet Singh and Insp. Ravinder
Dagar Main IO PS JP Kalan
Mr. Shivam Yadav, Adv. for R2 with
respondents in person

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

19.02.2024

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CRL.M.A. 5353/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 1355/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.14/2014 under Sections 323/325/341/506/34 IPC registered at Police Station Jaffarpur Kalan, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits



that since the parties are neighbours and they have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioner nos. 1 – 5, as well as, respondent nos. 2 – 4 are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Surjeet Singh and Insp. Ravinder Dagar Main IO PS JP Kalan.

6. The brief facts of the case are that on 26.01.2014, a quarrel took place between the petitioners on one side and the respondents no. 2 – 4 on the other side, due to which both sides suffered injuries and the same led to registration of cross FIRs. The aforesaid FIR was registered at the instance of the Karan Singh, who is the deceased husband of the respondent no. 2 and the other cross FIR bearing FIR No. 15/2014 under Sections 341/323/506/147/149/34 IPC was registered at the instance of petitioner no.1.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of memorandum of understanding dated 23.01.2024, which is annexed as Annexure C to the present petition.

8. It has been agreed between the parties that they shall cooperate with each other in quashing of the aforesaid cross FIRs.

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.14/2014 under Sections 323/325/341/506/34 IPC registered at Police Station Jaffarpur Kalan, New Delhi along with all other consequential 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

FEBRUARY 19, 2024

N.S. ASWAL