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

+ **CRL.M.C. 1632/2024**

MOHD. PARVEZ

..... Petitioner

Through: Mr. Pankaj Tyagi and Mr. Vijay
Kumar Gupta, Advs. with petitioners
in person.

versus

THE STATE OF GNCT OF DELHI

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

28.02.2024

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CRL.M.A. 6320/2024 (exemption)

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

CRL.M.C. 1632/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.548/2014 under Sections 323/341/452/379/427/34 IPC registered at Police Station Seelampur 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 have arrived at a settlement, the State has no objection in



case the FIR in question is quashed.

5. The petitioner no.1 and the petitioner nos. 2 to 4, who are close relatives of petitioner no. 1, as well as, respondent no. 2 are present in the Court. The parties they have been identified by learned counsel for the petitioner and by the Investigating Officer SI Deepa PS Seelampur.

6. The case of the prosecution is that on 22.08.2014 a quarrel took place between the petitioners and the respondent no. 2 in which the respondent no.2 is stated to have suffered injuries. This led to the registration of aforesaid FIR at the instance of respondent no. 2.

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 04.02.2024, which is annexed as Annexure P2 to the present petition.

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

9. The respondent no.2, on a query put by the Court, states that he 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 other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.548/2014 under Sections 323/341/452/379/427/34 IPC registered at Police Station Seelampur 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 28, 2024
N.S. ASWAL