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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1754/2024**
AFTAB KHAN AND ANR. Petitioners
Through: Mr. Salim Malik and Ms. Shavana,
Adv. with petitioners in person
versus
STATE AND ORS. Respondents
Through: Mr. Raghuinder Verma, APP for State
with Insp. Dinesh Chandra PS Khajuri
Khas
Mr. Huzaif Malik, Adv. for R2 and 3
with respondents in person

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
01.03.2024

CRL.M.A. 6713/2024 (exemption)

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

CRL.M.C. 1754/2024 & CRL.M.A. 6714/2024 (stay)

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.600/2014 under Sections 308/34 IPC registered at Police Station Khajoori Khas, 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 have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
5. On instructions from the I.O, the learned APP submits that the injuries



suffered by the private respondents were simple in nature.

6. The petitioner nos. 1 and the petitioner no. 2, who is brother of petitioner no. 1, as well as, respondent nos. 2 and 3 are present in the Court and they have been identified by their respective counsel and by the Investigating Officer Insp. Dinesh Chandra PS Khajuri Khas.

7. The brief facts of the case are that present FIR was registered at the instance of the respondent no. 3. In the complaint it was alleged by the respondent no. 3 that he was residing on rent in the property of the father of the petitioners. Due to an argument between the parties relating to the electricity bill, an altercation took place between the parties wherein the respondent no. 2 and 3 were beaten by the petitioners, which led to the registration of the FIR.

8. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of compromise deed dated 20.02.2024, which is annexed as Annexure P13 to the present petition.

9. It is a term of the settlement between the parties that the petitioners shall pay a total sum of Rs.75,000/- to the respondent nos.2 and 3 towards full and final settlement, which already stands paid.

10. The receipt of entire amount of Rs.75,000/- is acknowledged by the respondent nos.2 and 3, who are present in court.

11. The respondent nos.2 and 3, on a query put by the Court, states that they have no objection in case the FIR is quashed.

12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.



13. 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.”

14. 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.

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

16. Consequently, the petition is allowed and the FIR No.600/2014 under Sections 308/34 IPC registered at Police Station Khajoori Khas, Delhi along with all other consequential proceedings emanating therefrom, is quashed.

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

18. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

MARCH 1, 2024
N.S. ASWAL