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

+ **W.P.(CRL) 783/2024**

MANISH

..... Petitioner

Through: Mr H. P. Sharma, Advocate along
with petitioner in person.

versus

STATE OF NCT DELHI AND ANR

..... Respondents

Through: Mr Sanjay Lao, Standing Counsel for
the State with Ms Priyam Aggarwal,
Advocate with SI Annu, PS Hauz
Khas.

Mr Roshan Kumar, Advocate or R-2
along with respondent no.2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

06.03.2024

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CRL.M.A. 7310/2024

1. Allowed, subject to all just exceptions.

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2. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.0210/2023 under Sections 66E/67(A) of the IT Act and Sections 506/509 IPC registered at Police Station Hauz Khas, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. 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 SI Annu, PS Hauz Khas.

5. The brief facts of the case are that the petitioner and the respondent no.2 were friends but the petitioner had uploaded certain objectionable photographs of the respondent no.2 on social media. This led to the registration of present FIR at the instance of the respondent no.2.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Deed of Settlement dated 27.01.2024, which is annexed as Annexure A-2 to the present petition.

7. It is recorded in the aforesaid settlement that the parties with the intervention of family members and well-wishers have amicably settled the disputes.

8. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioner for the quashing of the aforesaid FIR.

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.0210/2023 under Sections 66E/67(A) of the IT Act and Sections 506/509 IPC registered at Police Station Hauz Khas, Delhi alongwith all other 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

MARCH 6, 2024
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