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

+ **CRL.M.C. 1929/2024**

ASHOK KUMAR MEENA & ANR.

..... Petitioners

Through: Mr Diwaker Bhardwaj, Advocate
along with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Sangeeta, Delhi Police
Academy, Jharoda, Police Station
Dwarka North and SI Durgesh, PS
Dwarka North.

Mr Jatin Seth and Mr Jai Singh,
Advocate for R-2 along with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

07.03.2024

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CRL.M.A. 7370/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1929/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0034/2020 under Sections 354/509/506/34 IPC registered at Police Station Dwarka North 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 are neighbours and they have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

4. The petitioners, 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 Sangeeta, Delhi Police Academy, Jharoda, Police Station Dwarka North and SI Durgesh, PS Dwarka North.

5. The brief facts of the case are that the FIR was registered on a complaint made by the Respondent No. 2 alleging that the petitioners and the wife of Petitioner No. 1 had harassed and assaulted the respondent No. 2 on 02.01.2020 and 03.01.2020. The respondent no. 2 was also threatened by the Petitioners.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 13.02.2204, which is at page 59 of the paperbook.

7. It is recorded in the settlement that the parties have settled all their disputes voluntarily and amicably.

8. It is a term of the settlement that the respondent no.2 shall cooperate with the petitioners for 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.0034/2020 under Sections 354/509/506/34 IPC registered at Police Station Dwarka North 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 7, 2024
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