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

+ **CRL.M.C. 2168/2024**

NARENDER KUMAR SINGH & ORS. Petitioners

Through: Mohd. Fahad, Mr H. R. Dhamija and
Mr Sanju Bala, Advocates along with
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr Raghvinder Varma, APP for the
State with SI Ravi Rana, PS Maidan
Garhi.
Mohd. Aslam, Advocate for R-2
along with R-2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
18.03.2024

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CRL.M.A. 8411/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 2168/2024 & CRL.M.A. 8412/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0462/2022 under Sections 365/323/342/506/120B/34 IPC registered at Police Station Mehrauli, New 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 FIR is an outcome of a commercial transaction and the parties have settled all their disputes, 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 Ravi Rana, PS Maidan Garhi.

5. The brief facts of the case are that the FIR was registered at the instance of the complaint filed by the respondent no.2/complainant who alleged that he took a friendly loan of Rs.3,30,000/- from the petitioners herein to invest in business. However, when he went to return a sum of Rs.2,00,000/-, accused persons started beating him inside the car and kept him closed in a room. This led to the registration of aforesaid FIR.

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 12.03.2024, which is annexed as Annexure-E to the present petition.

7. It is recorded in the settlement that the parties have amicably resolved all their disputes. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioners for the quashing of the aforesaid FIR.

8. The respondent no.2, on a query put by the Court, states that he has no objection in case the FIR is quashed.

9. 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.”

10. 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.

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

12. Consequently, the petition is allowed and FIR No.0462/2022 under Sections 365/323/342/506/120B/34 IPC registered at Police Station Mehrauli, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MARCH 18, 2024

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