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

+ **CRL.M.C. 2565/2024**

SONAM OBEROI

..... Petitioner

Through: Mr. Abhishek Chauhan, Ms. Vaishali
Chauhan and Ms. Karishma, Advs.
Petitioner in person.

versus

STATE(GOVT OF NCT OF DELHI) THROUGH SHO PATEL

NAGAR & ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for State with
SI Ravi Shankar PS Patel Nagar
Respondent in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

23.04.2024

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CRL.M.A. 9801/2024 (exemption)

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

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3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.186/2022 under Sections 279/338 IPC registered at Police Station Patel Nagar 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 has joined through VC and respondent no. 2 is present in the Court and they have been identified by the learned counsel for the petitioner and by the Investigating Officer SI Ravi Shankar PS Patel Nagar.

6. The case of the prosecution in brief is that on 30.01.2022 an accident took place in which the respondent no. 2 received injuries. As per prosecution version the car was being driven by the present petitioner.

7. 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 18.11.2023, which is annexed as Annexure C to the present petition.

8. It has been agreed in the compromise deed that the respondent no. 2 shall cooperate with the petitioner for quashing of FIR.

9. On a query posed by the Court the respondent no. 2 who is present in Court states that he has received a compensation of Rs. 88,000/- as awarded by the learned MACT. Apart from the said amount, further amount of Rs. 50,000/- has been paid to the respondent no. 2.

10. The respondent no. 2 states that he is satisfied with the amount of compensation paid to him. On a query put by the Court, he further states that he has no objection in case the FIR is quashed.

11. 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.”

12. 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.
13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
14. Consequently, the petition is allowed and the FIR No.186/2022 under Sections 279/338 IPC registered at Police Station Patel Nagar along with all other consequential proceedings emanating therefrom, is quashed.
15. The petition stands disposed of in the above terms.
16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

APRIL 23, 2024
N.S. ASWAL