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

+ **CRL.M.C. 2579/2024 & CRL.M.A.9856/2024**

SUDAMA SHARMA & ORS.

..... Petitioners

Through: Mr Anand Sharma, Advocate along
with petitioners in person.

versus

THE STATE & ORS.

..... Respondent

Through: Mr Raj Kumar, APP for the State
with Insp. Sushila, PS Samaipur
Badli.

Mr Sachin Bansal and Ms Sakshi
Mahajan, Advocates for R-2 & R-3
along with R-2 & R-3 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

01.04.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0936/2014 under Sections 354/506/509/34 IPC registered at Police Station Samaipur Badli and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice. He submits that since the dispute is between family members and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioners, as well as, respondent nos. 2 & 3 are present in the



Court and they have been identified by their respective counsel and by the Investigating Officer Insp. Sushila, PS Samaipur Badli.

4. The brief facts of the case are that present FIR was registered at the instance of the respondent no.2, who is the daughter-in-law of the petitioner no.1. Petitioner no.2 is the second wife of the petitioner no.1. Petitioner no.3 is the daughter of the petitioner no.2 from her first marriage, who has now also been adopted by the petitioner no.1. It is the property dispute which had led to the registration of cross FIR between the parties.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise Deed dated 28.03.2018, a copy of which is annexed as Annexure A-2 to the present petition.

6. The family settlement records the arrangement with regard to the various properties owned by the family.

7. Learned counsel for the parties submits that the family arrangement so recorded in the settlement has partially been given effect to.

8. It is further submitted that other FIR registered at the instance of the other family members have already been quashed by a Coordinate Bench of this Court by an order of even date. This position is also affirmed by the IO, who is present in the Court.

9. 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.

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.0936/2014 under Sections 354/506/509/34 IPC registered at Police Station Samaipur Badli 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

APRIL 1, 2024
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