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

+ CRL.M.C. 2670/2024

SH. HARISH CHANDRA

..... Petitioner

Through: Mr Anil Dagar, Advocate along with  
petitioner in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State  
with SI Sargam Bhardwaj, PS Adarsh  
Nagar.  
Ms Savitri, Advocate for R-2 along  
with R-2 in person.

**CORAM:**

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

**ORDER**

**04.04.2024**

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0441/2016 under Sections 308/34 IPC registered at Police Station Adarsh Nagar 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 parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. 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 Sargam Bhardwaj, PS Adarsh Nagar.
4. The brief facts of the case are that a quarrel took place between the



petitioner and the respondent no.2 that escalated to level of a fight in which the respondent no.2 suffered injuries which led to the registration of aforesaid FIR.

5. Learned counsel for the petitioner states that the injuries suffered in the present case was simple in nature, which position is not disputed by the learned APP, on instructions from the IO, who is present in the Court. It is further stated that the sister of the respondent no.2 is married to the petitioner and they are closely related to each other.

6. During the pendency of the proceedings, the parties have arrived at a settlement and in terms thereof the respondent no.2 had agreed to cooperate with the petitioner for quashing of the aforesaid FIR.

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

8. 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.”*

9. 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.



10. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
11. Consequently, the petition is allowed and the FIR No.0441/2016 under Sections 308/34 IPC registered at Police Station Adarsh Nagar alongwith all other proceedings emanating therefrom, is quashed.
12. The petition stands disposed of in the above terms.
13. Order be uploaded on the website of this court.

**VIKAS MAHAJAN, J**

**APRIL 4, 2024**  
**MK**