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

+ CRL.M.C. 3381/2024

RAVI KUMAR

..... Petitioner

Through: Ms. Niti Chaudhary, Adv. along with
petitioner

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with
ASI Ashok Kumar and SI Braham
Prakash, PS Sultan Puri
Respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

30.04.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.934/2018 under Section 354 IPC registered at Police Station Sultan Puri 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 are related to each other and they have arrived at a settlement, the State has no objection in case the FIR 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 ASI Ashok Kumar and SI Braham Prakash.
4. The brief facts of the case are that the petitioner is the brother-in-law of the respondent no.2 and after his divorce he started living with the



respondent no.2 and her husband. On many occasions, the petitioner tried to assault the respondent no.2, in respect of which the complainant made a complaint that eventually culminated into aforesaid FIR.

5. During the pendency of the proceedings the parties have arrived at a settlement, in terms whereof the respondent no.2 has agreed to cooperate with the petitioner in quashing of the FIR.

6. The present petition is also supported by the affidavit cum no objection of the respondent no.2.

7. Perusal of the said affidavit also shows that the respondent no.2 has affirmed the factum of settlement and has further stated that she does not have any objection in case the FIR is quashed.

8. Respondent no.2, who is present in Court, on a query posed by the Court states that she has no objection in case the present 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 be an exercise in futility.

11. In view of the fact that the parties have arrived at a settlement, no



useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

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. 934/2018 under Section 354 IPC registered at Police Station Sultan Puri 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 30, 2024

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