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

+ **CRL.M.C. 3705/2024**

KARAN MALHOTRA & ANR.

..... Petitioners

Through: Ms Neha Pandey, Ms Roma Kumar,
Ms Pooja Kumari Sharma and Mr
Shubham Angrish, Advocates along
with petitioners in person.

versus

**THE STATE GOVT OF NCT OF DELHI
& ANR.**

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Mamta and SI Gayatri, PS
Dabri.
Mr B. D. Pandey, Mr Tarun Kumar
Dwivedi and Mr Manoj Sahani,
Advocates for R-2 along with R-2 in
person.

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

ORDER
08.05.2024

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CRL.M.A. 14209/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3705/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0161/2021 under Sections 354/354(B)/509/34 IPC registered at Police Station Dabri 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 parties are related to each other and they have arrived at a settlement, 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 Mamta and SI Gayatri, PS Dabri.
5. Respondent no.2 is the daughter of the petitioner no.1's sister's brother-in-law (*jeith*). The petitioner no.2 is the mother of the petitioner no.1. The present petition is an outcome of a matrimonial dispute between the petitioner's sister and her husband.
6. During the pendency of the proceedings, the parties were referred to Counselling Cell attached to Family Courts, South-West District, Dwarka, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 20.12.2023, a copy of which is annexed as Annexure P-3 to the present petition.
7. The respondent no.2, on a query put by the Court, states that she 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.0161/2021 under Sections 354/354(B)/509/34 IPC registered at Police Station Dabri 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

MAY 8, 2024
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