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

+ **CRL.M.C. 3711/2024**

**SABNAM & ORS.**

..... Petitioners

Through: Mr B. D. Pandey, Mr Tarun Kumar Dwivedi and Mr Manoj Sahani, Advocates along with petitioners in person.

versus

**THE STATE GNCT & ANR.**

..... Respondents

Through: Mr Raj Kumar, APP for the State with SI Mamta and SI Gayatri, PS Dabri.

**CORAM:**

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

**ORDER**

**08.05.2024**

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**CRL.M.A. 14233/2024**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 3711/2024**

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0095/2021 under Sections 354/506/34 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 present case is also an outcome of a matrimonial dispute between



the respondent no.2 (complainant) and her husband Ashraf Ali @ Babloo, who is the son of the petitioner no.1. Petitioner nos.2 to 4 are the close relatives of the husband of the respondent no.2.

5. 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.

6. During the pendency of the proceedings, the respondent no.2, as well as, the son of the petitioner no.1 were referred to Counselling Cell attached to the 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 which is annexed as Annexure P-4 to the present petition.

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.0095/2021 under Sections 354/506/34 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.

**MAY 8, 2024**  
**MK**

**VIKAS MAHAJAN, J**