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

+ **CRL.M.C. 3779/2024**

PRAMOD KUMAR SINGH

..... Petitioner

Through: Ms Jyoti Sahay Joshi, Advocate along
with petitioner in person.

versus

STATE NCT OF DELHI AND ANR

..... Respondent

Through: Mr Hitesh Vali, APP for the State
with SI Satvinder, PS Chankayapuri.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

10.05.2024

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CRL.M.A. 14458/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3779/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0209/2022 under Sections 279/337/468/471 IPC and Sections 3/181/5/180/146/196 of the Motor Vehicles Act, registered at Police Station Chanakyapuri 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 have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

4. 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 Satvinder, PS Chankayapuri.

5. The brief facts of the case are that on 16.11.2022, the respondent no.2 was hit by a car bearing registration no.DL 8CT 2277, which was being driven by late Shri Pratap Singh Bisht due to which the respondent no.2 sustained injuries. This incident led to the registration of the aforesaid FIR against the present petitioner who is the owner of the car.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 04.12.2023, a copy of which is annexed as Annexure P-3 to the present petition.

7. It is a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.37,500/- towards full and final settlement of the compensation.

8. The receipt of entire amount of Rs.37,500/- is acknowledged by the respondent no.2, who is present in court.

9. The respondent no.2, on a query put by the Court, states that he has 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.0209/2022 under Sections 279/337/468/471 IPC and Sections 3/181/5/180/146/196 of the Motor Vehicles Act registered at Police Station Chanakyapuri 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

MAY 10, 2024

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