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

+ **CRL.M.C. 3813/2024**

MONU BHATNAGAR @ SAURABH BHATNAGAR & ANR.

..... Petitioner

Through: Mr. Sanket Katara and Mr. Harish
Katara, Advs.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Hitesh Vali, APP for State with
SI Sonu Kumar PS Seemapuri
Mr. Ambuj Chauhan, Adv. for R2

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
13.05.2024

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CRL.M.A. 14568/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 3813/2024

3. The present petition has been filed under Article 227 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.359/2018 under Sections 323/341/504/506/34 IPC registered at Police Station Seemapuri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

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 Sonu Kumar PS Seemapuri.

6. The brief facts of the case are that the FIR was registered against the petitioner nos. 1 & 2 at the instance of respondent no.2 alleging that on 15.06.2018 at around 9.15 PM at Dilshad Garden, some drunken boys of the same locality started abusing respondent no. 2 and gave him a beating with iron rods and sticks.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of mutual settlement dated 03.05.2024 which is annexed as Annexure P3 to the present petition.

8. It is recorded in the settlement that the parties have amicably resolved their disputes and differences and it is also recorded therein that the respondent no. 2 has no objection in case aforesaid FIR is quashed.

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 FIR No.359/2018 under Sections 323/341/504/506/34 IPC registered at Police Station Seemapuri along with all other consequential 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 13, 2024
N.S. ASWAL