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

+ **CRL.M.C. 3853/2024**

SAMAR CHHIKARA

..... Petitioner

Through: **Mr. Dev Rishi, Advocate.**

versus

STATE (GNCTD) & ANR.

..... Respondents

Through: **Mr. Raj Kumar, APP for State with SI
Rishi Kant Mishra, PS V.K. North.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

14.05.2024

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CRL.M.A. 14721/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3853/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No. 457/2021 under Sections 279/337 IPC registered at Police Station Vasant Kunj North and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. The petitioner has joined through video conferencing and he has been identified by his counsel, whereas the respondent No. 2 is present in Court and a copy of his Aadhaar Card is on record, the original of which has been verified by the IO who is present in Court.

4. The case of the prosecution is that on 22.12.2021, an accident took



place in which the respondent No. 2 suffered injuries. This lead to the registration to the FIR, in which the present petitioner was arraigned as an accused.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof have been reduced in writing in the form of Settlement Deed dated 27.04.2024, a copy of which is annexed as Annexure - D to the present petition. It is a term in the aforesaid settlement that the petitioner shall pay a sum of Rs.30,000/- to the respondent No. 2 towards compensation. It is further mentioned in the settlement that the respondent No. 2 shall cooperate with the petitioner for the quashing of aforesaid FIR.

6. The respondent no.2, on a query put by the Court, states that he has no objection in case the FIR is quashed. He also acknowledges having received the compensation amount of Rs.30,000/-.

7. 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.”

8. 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.



9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
10. Consequently, the petition is allowed and the FIR No. 457/2021 under Sections 279/337 IPC registered at Police Station Vasant Kunj North alongwith all other proceedings emanating therefrom, is quashed.
11. The petition stands disposed of in the above terms.
12. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 14, 2024

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