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

+ **CRL.M.C. 3942/2024 & CRL.M.A. 15046/2024**

SOURAV ALIAS SAURABH

..... Petitioner

Through: Mr. Vishal Arun Mishra, Ms. Rupali Panwar, Mr. Saurabh Sharma and Ms. Umang Mangal, Advocates.

versus

STATE OF NCT DELHI AND ANR

..... Respondents

Through: Mr. Hitesh Vali, APP for the State with SI Rahul Rathi, P.S. Sangam Vihar.
Ms. Alka Singh, Ms. Fatima and Mr. Abhinav Sahni, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.05.2024

CRL.M.A. 15045/2024

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

CRL.M.C. 3942/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No. 0516/2021 under Sections 308/34 IPC registered at Police Station Sangam Vihar, South, New Delhi 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 Rahul Rathi.

6. The brief facts of the case are that the FIR was registered on the statement of respondent No.2 wherein he alleged that on 10.10.2021 around 10:30 A.M., when he reached near Rehmaniya Masjid, there he met one of his good friends namely Saurabh (R-2). It is further alleged that there an altercation took place between petitioner and the respondent No.2 who allegedly teased the petitioner by calling him Katori due to which petitioner No.1 felt insulted and he along with other petitioners inflicted injuries upon the respondent No.2.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement/Compromise Deed dated 10.05.2024, which is annexed as Annexure P-3 to the present petition.

8. It is recorded in the aforesaid settlement between the parties that the parties have mutually with the intervention of common friends sorted out their dispute. It is also a terms of the settlement that the respondent No.2 shall cooperate with the petitioner for quashing of the present FIR.

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 fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

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. 0516/2021 under Sections 308/34 IPC registered at Police Station Sangam Vihar, South, New Delhi 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 16, 2024/MR