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

+ W.P.(CRL) 1649/2024

MOHIT & ORS.

..... Petitioner

Through: Mr. Chetan, Adv.

versus

GOVT. N.C.T. OF DELHI (THE STATE) & ANR..... Respondents

Through: Mr. Sanjay Lao, SC for State with SI
Dinesh Kumar, PS. Nand Nagri.
Ms. Deepika, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

22.05.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.504/2022 under Sections 308/34 IPC registered at Police Station Nand Nagri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Issue notice. The learned Standing Counsel for the State accepts notice. He submits that since the FIR is an outcome of a scuffle and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed. He points out that the injury suffered in the present matter is simple in nature.

3. The petitioner nos.1 to 3, 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 Dinesh Kumar, PS. Nand Nagri.

4. The brief facts of the case are that the FIR was registered on a statement made by the respondent no.2 wherein he alleged that on 18.06.2022 at around 08:30 p.m. he was sitting at the corner of the street. The petitioners came there and asked the respondent no.2 to do some work to which the respondent no.2 refused, this led to a quarrel between the petitioners and the respondent no.2, due to which the respondent no.2 sustained injuries.

5. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 17.05.2024, which is annexed as Annexure 3 to the present petition.

6. It has been recorded in the aforesaid settlement that the parties have amicably resolved all their disputes and differences. It is also a term of the settlement that the parties shall cooperate with each other in quashing of the aforesaid FIR.

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.504/2022 under Sections 308/34 IPC registered at Police Station Nand Nagri 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.

VIKAS MAHAJAN, J

MAY 22, 2024/dss