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

+ **CRL.M.C. 4433/2024**

VINOD & ORS.

..... Petitioners

Through: Mr Dinesh, Advocate along with
petitioners in person along with
petitioner nos.1 to 5 in person and
petitioner no.6 through vc.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Ravi, PS Lajpat Nagar.
Mr Heber Nathanael, Advocate for R-
2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
28.05.2024

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CRL.M.A. 16809/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4433/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0214/2022 under Sections 308/325/326/147/148/149/120B IPC registered at Police Station Lajpat Nagar 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 six persons were arraigned as an accused in the present FIR out of which one is CCL, who has not been impleaded as party and the present petition has been filed by other five petitioners.

4. However, on the oral request of the learned counsel for the petitioners, sixth accused, i.e., CCL is also impleaded as party.

5. An amended memo of parties has been handed over in the Court, the same is taken on record.

6. The petitioner 1 to 5, as well as, respondent no. 2 are present in the Court whereas the petitioner no.6 has joined through video conferencing. The parties have been identified by the learned counsel for the petitioner and by the Investigating Officer SI Ravi, PS Lajpat Nagar.

7. The brief facts of the case are that the FIR was registered on the statement of Vikram/respondent no.2 alleging that on 11.03.2022 some persons of the same locality abused his mother and sister and on objection being raised by him they had attacked him and inflicted injuries.

8. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 20.04.2024, a copy of which is annexed as Annexure-B to the present petition.

9. It is recorded in the settlement that the parties have amicably sorted out all their differences without any pressure and undue influence from any corner.

10. It is also a term of the settlement that the parties shall cooperate with each other in getting the cross FIRs quashed.

11. The respondent no.2, on a query put by the Court, states that he has no objection in case the FIR is quashed.



12. 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.”

13. 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.

14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

15. 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.

16. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

17. Consequently, the petition is allowed and the FIR No.0214/2022 under Sections 308/325/326/147/148/149/120B IPC registered at Police Station Lajpat Nagar alongwith all other proceedings emanating therefrom, is quashed.



18. The petition stands disposed of in the above terms.
19. Order be uploaded on the website of this court.

MAY 28, 2024
MK

VIKAS MAHAJAN, J