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

+ **CRL.M.C. 4731/2024**

ARUN KUMAR

..... Petitioner

Through: Mr Subhash Pandey, Advocate along
with petitioner in person.

versus

STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr Hitesh Vali, APP for the State
with SI Preeti Ahluwalia, PS South
Rohini.

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

31.05.2024

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CRL.M.A. 17652/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4731/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0947/2015 under Section 354-D IPC registered at Police Station South Rohini, Delhi 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 since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

4. The petitioner, as well as, respondent no. 2 (former wife) are present



in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Preeti Ahluwalia, PS South Rohini.

5. The facts in brief are that the FIR was registered on a complaint made by the respondent no.2 alleging that the petitioner used to follow him. On 27.11.2015, when the respondent no.2 was going to Prashant Vihar for her job, the petitioner followed him on similar bike and threatened her. The similar incident took place on 01.12.2015 as well, which led to the registration of aforesaid FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 15.05.2024, a copy of which is annexed as Annexure P-2 to the present petition.

7. In terms of the said settlement, the parties have mutually, amicably and voluntarily settled all their disputes relating to the above mentioned FIR.

8. It is recorded in the settlement that the parties have entered into a settlement out of their own free will and without any fear, force, coercion and influence from anywhere.

9. It is also a term of the settlement that the respondent no.2 shall cooperate in quashing of the aforementioned FIR.

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

11. 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.”

12. 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.
13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
14. Consequently, the petition is allowed and the FIR No.0947/2015 under Section 354-D IPC registered at Police Station South Rohini, Delhi alongwith all other proceedings emanating therefrom, is quashed.
15. The petition stands disposed of in the above terms.
16. Order be uploaded on the website of this court.

MAY 31, 2024
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VIKAS MAHAJAN, J