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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 255/2024**

VINOD KUMAR Petitioner

Through: Mr. Nikhil Mehta, Adv.
versus

STATE & ANR. Respondents

Through: Mr. Raj Kumar, APP for State.
Mr. Varun Sharma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **11.01.2024**

CRL.M.A. 1022/2024 (exemption)

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

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3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.796/2023 under Sections 354A/509 IPC registered at Police Station Narela Industrial Area 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 are neighbours and have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
5. The petitioner, as well as, respondent no. 2 are present in the Court and they have been identified by their counsel and by the Investigating Officer SI Vishnu, PS. Narela Industrial Area.
6. The brief facts of the case are that on 19.09.2023, the petitioner in drunken condition rudely spoke to the respondent no.2 and used abusive



language which led to the registration of the aforesaid FIR, at the instance of 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 Agreement dated 04.12.2023, which is annexed as Annexure P-2 to the present petition.

8. It is recorded in the settlement that the parties have amicably arrived at a settlement. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioner for the quashing of the aforesaid FIR.

9. The respondent no.2, on a query put by the Court, states that she 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. Considering 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. Further, in view of the settlement between the parties, the ultimate chances of conviction in the case are also bleak, therefore, continuation of



criminal proceedings 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.796/2023 under Sections 354A/509 IPC registered at Police Station Narela Industrial Area 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.

VIKAS MAHAJAN, J

JANUARY 11, 2024/dss