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

+ **CRL.M.C. 458/2024**

**SAJID AND ORS**

..... Petitioners

Through: Mr Shahid Ali and Mr Sameer  
Tayyeb, Advocates along with  
petitioners in person.

versus

**STATE THROUGH SHO MAIDAN GARHI  
& ANR**

..... Respondents

Through: Mr Raj Kumar, APP for the State  
with ASI Ram Kumar, PS Maidan  
Garhi.  
Mr Rahil Mabood, Advocate for R-2  
along with R-2 in person.

**CORAM:  
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**  
**23.01.2024**

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**CRL.M.A. 1791/2024**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 458/2024 & CRL.M.A. 1792/2024**

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0236/2021 under Sections 308/323/341/34 IPC registered at Police Station Maidan Garhi, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Learned counsel for the petitioners submits that the injuries suffered by the complainant are simple in nature.



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 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 ASI Ram Kumar, PS Maidan Garhi.
6. The brief facts of the case are that on 13.09.2021, a quarrel took place between the petitioners and the respondent no.2 which escalated to a level of fight in which both the parties suffered injuries. The incident also led to the registration of cross FIR, i.e., FIR No.0235/2021 under Sections 308/323/341/34 IPC at Police Station Maidan Garhi registered at the instance of the petitioner no.1 herein.
7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 19.12.2023, which is annexed as Annexure P-3 to the present petition.
8. In terms of the said settlement, the parties have resolved all their disputes amicably.
9. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioners in quashing of the aforesaid FIR.
10. The respondent no.2, on a query put by the Court, states that he 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 be an exercise in futility.

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.0236/2021 under Sections 308/323/341/34 IPC registered at Police Station Maidan Garhi, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

17. Order be uploaded on the website of this court.

**VIKAS MAHAJAN, J**

**JANUARY 23, 2024**  
**MK**