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

+ **CRL.M.C. 873/2024 & CRL.M.A. 3499/2024**

ARUN AGGARWAL

..... Petitioner

Through: Mr Vikas Chhabra, Advocate along
with petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr Naresh Kumar Chahar, APP for
the State with SI Lokendra Singh, HC
Hukma Ram, PS Mehrauli, South
District.

Mr Ankur Mishra, Mr Vipul Rana and
Ms Shilpi Yadav, Advocates for
complainant.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

13.05.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0600/2019 under Sections 0287/338 IPC registered at Police Station Mehrauli and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner, 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 Lokendra Singh, HC Hukma Ram, PS Mehrauli, South District.

4. The brief facts of the case are that an accident had taken place at the factory premises of the petitioner in which the respondent no.2, who was working as daily wager, suffered injuries. This led to the registration of aforesaid FIR.

5. 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 26.11.2019, a copy of which is annexed as Annexure P-4 to the present petition.

6. It is recorded in the settlement that all the medical expenditure of the complainant/respondent no.2 was borne by the petitioner. Besides that, the petitioner also agreed to pay full and final settlement amount of Rs.45,000/- to the respondent no.2.

7. It is stated that out of the said amount, a sum of Rs.25,000/- has already been paid and the balance amount of Rs.20,000/- has been paid today in the Court.

8. Respondent no.2, who is present in the Court acknowledges having received total settlement amount of Rs.45,000/-. He also affirms that all the medical expenditure towards his treatment were borne by the present petitioner.

9. The respondent no.2, on a query put by the Court, states that he 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. 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.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.0600/2019 under Sections 0287/338 IPC registered at Police Station Mehrauli alongwith all other proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 13, 2024
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