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

+ **CRL.M.C. 9607/2024**

NADEEM KHAN @ GUDDU & ORS.Petitioners

Through: Mr. Raj Kumar and Mr. Pratap Dhaka,
Advts. with petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with ASI Yashvir Singh PS Karawal
Nagar
Mr. Adarsh Kumar, Adv. for
R2/complainant with respondent no.2
in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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09.12.2024

CRL.M.A. 36880/2024 (exemption)

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

CRL.M.C. 9607/2024

3. The present petition has been filed under Section 482 CrPC read with Section 528 of BNSS, 2023 seeking quashing of FIR No.0124/2024 under Sections 308/34 IPC registered at Police Station Karawal Nagar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP appearing on behalf of 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.

5. The petitioners, as well as, respondent no. 2 (complainant) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer ASI Yashvir Singh PS Karawal Nagar.

6. The facts in brief are that the FIR was registered on a statement made by the respondent no.2 wherein he stated that on 12.03.2024 while he was repairing his cable wire, the petitioners herein who are also in the cable TV business came there and accused him that he has cut their cable wire. A scuffle took place between them in which the respondent no.2 was beaten.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise Deed dated 27.04.2025, a copy of which is annexed as Annexure P-2 to the present petition.

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

9. It is recorded in the settlement that the parties have amicably resolved their all disputes and the respondent no.2 has also been compensated towards the medical expenses incurred by him.

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

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. Consequently, the petition is allowed and the FIR No.0124/2024 under Sections 308/34 IPC registered at Police Station Karawal Nagar, 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

DECEMBER 9, 2024
N.S. ASWAL