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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9917/2024**
GEETAPetitioner

Through: Mr. Tarun Gahlot, Adv.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Utkarsh, APP for State with Insp.
Devinder Kumar (I.O) and SI Somvir
Singh, PS. Cyber OND.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.12.2024

CRL.M.A. 37972/2024 (exemption)

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

CRL.M.C. 9917/2024

3. The present petition has been filed under Section 528 BNSS, 2023 read with Article 226 of the Constitution of India seeking quashing of FIR No.41/2023 under Sections 500/509 IPC and Section 67 of IT Act registered at Police Station Cyber/OND, Bawana 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 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 respective counsel and by the Investigating



Officer Insp. Devinder Kumar (I.O) and SI Somvir Singh, PS. Cyber OND.

6. The brief facts of the case are that the FIR was registered on the basis of complaint made by the respondent no.2 regarding online and social media related crime on instagram account alleging that the petitioner had commented on complainant's posts in unparliamentary language.

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/ Settlement Agreement dated 30.11.2024, which is annexed as Annexure A to the present petition.

8. It is a term of the Compromise Deed that the parties have amicably resolved all their disputes. It is also stated in the said Compromise Deed that the respondent no.2 shall cooperate with the petitioner for the quashing of the present FIR.

9. The respondent no.2, who is present in court, on a query posed 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. 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.41/2023 under Sections 500/509 IPC and Section 67 of IT Act registered at Police Station Cyber/OND, Bawana 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

DECEMBER 17, 2024/dss