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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 10058/2024**
AAS MOHAMMADPetitioner

Through: Mr. Sunil Kumar, Adv. with petitioner
in person.

versus

STATE NCT OF DELHI & ANR.Respondents
Through: Mr. Nawal Kishore Jha, APP for State
with PSI Sakshi Yadav PS Shaheen
Bagh
Respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
20.12.2024

CRL.M.A. 38568/2024 (exemption)

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

CRL.M.C. 10058/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.0277/2020 under Section 354(A)/506 IPC registered at Police Station Shaheen Bagh 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, as well as, respondent no.2



who is present in Court accepts notice. They submit that since the parties have arrived at a settlement, they have 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 the Investigating Officer PSI Sakshi Yadav PS Shaheen Bagh.

6. The facts in brief are that the FIR was registered on 03.11.2020 on the basis of complaint made by the respondent no.2 alleging that on 02.11.2020 the petitioner tried to molest her.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of memorandum of understanding dated 30.11.2024, 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 are closely related to each other, in as much as the petitioner is brother-in-law of the respondent no.2/complainant.

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

11. 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.

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.0277/2020 under Section 354(A)/506 IPC registered at Police Station Shaheen Bagh 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 20, 2024
N.S. ASWAL