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

+ W.P.(CRL) 4073/2024

SURENDER BISHT

.....Petitioner

Through: Mr. Diwanshu, Adv. along with  
petitioner.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. ....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for  
State with S.I. Rohitash Yadav, P.S.  
Neb Sarai, New Delhi.  
R-2 in person.

**CORAM:**

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

**ORDER**

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**24.12.2024**

**CRL.M.A. 39218/2024 (exemption)**

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

**W.P.(CRL) 4073/2024**

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.959/2015 under Sections 354D/509 IPC registered at P.S. Neb Sarai, New Delhi and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.
4. Issue notice. Mr. Sanjay Lao, learned Standing Counsel appearing on behalf of the State accepts notice.
5. The petitioner and the respondent no.2 are present in Court and they have been identified by the Investigating Officer, i.e., S.I. Rohitash Yadav, P.S. Neb Sarai, New Delhi.



6. The brief facts of the case are that the case FIR was registered at the instance of respondent no.2 against the present petitioner alleging that he was sending unwarranted messages to the respondent no.2 for six months.

7. The learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings the parties have arrived at an oral settlement.

8. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

9. 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.”*

10. 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.

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

12. Consequently, the petition is allowed and the FIR No.959/2015 under Sections 354D/509 IPC registered at P.S. Neb Sarai, New Delhi along with all other proceedings emanating therefrom, is quashed.



13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this court.

**DECEMBER 24, 2024**  
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**VIKAS MAHAJAN, J**