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

+ **CRL.M.C. 135/2025**

MOHD TARIQ QURESHI & ANR.

.....Petitioners

Through: Mr. Shaad Anwar and Ms. Shabnam
Farooqui, Advs.
Petitioners in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Wali, APP for the State.
Mr. Morh Mukut P. Yadav, Adv. for
R-2.
R-2 is present (through VC)
SI Akash Deep and ASI Mukesh
4036/N from PS Sadar Bazar, Delhi.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

18.03.2025

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CRL.M.A. 722/2025 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 135/2025

1. This is a petition under Section 528 of the BNSS, 2023 seeking quashing of FIR No. 167/2020 under Sections 308/248/3(5) BNS registered at P.S. Sadar Bazar and all consequential proceedings emanating therefrom on the ground that parties have arrived at a settlement.
2. Issue notice. Mr. Hitesh Wali, learned APP appearing on behalf of the State, accepts notice.



3. The petitioners physically present in Court and respondent No. 2 present through VC have been identified by SI Akash Deep and ASI Mukesh from P.S. Sadar Bazaar, Delhi.

4. Learned counsel for the petitioners further submits that the parties have arrived at a settlement, terms thereof have been reduced in writing in the form of Agreement dated 25.10.2024 (Annexure P-5) and in pursuance thereto the Complaint Case No. 13086/2019 titled as Mohd. Tariq Qureshi vs. Mohd. Sami P.S. Sadar Bazaar, Delhi-06 and Criminal Complaint Case No. 456/2021 titled as Mohd. Tariq Qureshi vs. Mohd. Kashif & Ors., P.S. Sadar Bazaar have since been withdrawn.

5. It is recorded in the Settlement Agreement that parties have mutually and amicably resolved their disputes. It is also mentioned in the Settlement Agreement that both parties shall withdraw all the cases (Civil/Criminal) filed against each other.

6. The respondent No. 2, who is present through VC, on a query posed by the Court, affirms the factum of settlement and states that he has no objection in case the FIR is quashed.

7. At this stage, it would be apt to refer to the observations of the Supreme Court in **Gian Singh vs. State of Punjab**, (2012) 10SCC 303: (SCC p. 340, para 58)

“58. Where the High Court quashes a criminal proceedings 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.”

8. 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.

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

10. Consequently, the petition is allowed and FIR No. 167/2020 under Sections 308/248/3(5) BNS registered at P.S. Sadar Bazaar, Delhi and all consequential proceedings emanating therefrom, are quashed.

11. The petition stands disposed of in the above terms.

12. Order be uploaded on the website of this Court.

RAVINDER DUDEJA, J

MARCH 18, 2025/sk