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

+ CRL.M.C. 225/2024

MOHD. IMRAN & ORS.Petitioners

Through: Mr. Akhtar Shamim, Adv.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Nawan Kishore Jha, APP with SI
Rahul Yadav, P.S. Kirti Nagar, Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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10.01.2025

1. The present petition has been filed under Section 482 of CrPC seeking quashing of FIR No.004189/2016 under Section 379 IPC registered at P.S. E-Police Station Kirti Nagar, West District, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. The respondent no.2 lodged the aforesaid FIR alleging theft of the car of his brother i.e. respondent no.3.
3. The petitioners are present in court whereas the respondent no.3 has joined through VC. The parties have been identified by the IO, who is present in court.
4. During the pendency of proceedings, the parties have arrived at a settlement. The respondent no.3, on a query posed by the court, states that he has no objection in case the aforesaid FIR is quashed.



5. 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.”

6. 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.

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

8. Consequently, the petition is allowed and the FIR No.004189/2016 under Section 379 IPC registered at P.S. E-Police Station (Kirti Nagar West District), Khajuri Khas, Delhi and all consequential proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 10, 2025/aj