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

+ **CRL.M.C. 273/2023**

SUSHIL & ORS.

.....Petitioners

Through: Mr. Roopansh Purohit, Mr. Ramesh Kumar Shokeen, Ms. Narayani Sepaha, Advs. alongwith petitioners in person.

versus

STATE OF NCT DELHI & ORS.

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for State with IO/SI Arun Negi, Legal Cell, New Delhi District, IO/SI Kamal, Security Unit.
Ms. Sakshi Tanwar, Adv. for R-2 to R-4 alongwith R-2 to R-4 (through VC).

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

27.11.2025

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1. The present petition under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. seeks quashing of FIR No. 58/2019 under Sections 307/325/323/34 Indian Penal Code, 1860, registered at P.S. Dabri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Vipin Kharb, learned Additional Sessions Judge, Dwarka Court, New Delhi.
2. The petitioner is present in the Court. The respondents Nos. 2 to 4 have joined through VC. The petitioners as well as, respondent nos.2 to 4, have been identified by their respective counsels, as well as, by the Investigating Officer IO/SI Arun Negi, Legal Cell, New Delhi District.



3. The case of the prosecution is that there was street fight between the respondent Nos. 2 to 4, in which both sides suffered injuries which led to cross FIRs including the present FIR. The other Cross FIR i.e. FIR No. 259/2019 under Sections 323/341/34 IPC at PS Dabri, was registered at the instance of the daughter of petitioner no.1.

4. Mr. Roopansh Purohit, learned counsel appearing on behalf of the petitioner submits that insofar as said cross FIR is concerned, the same only involved compoundable offences and it has been compounded in view of the settlement arrived between the parties.

5. He contends that in the present FIR non-compoundable offences have been invoked, therefore, the present petition has been filed.

6. He contends that during pendency of the proceedings, the parties arrived at settlement, terms whereof have reduced in writing in the form of settlement dated 06.01.2023. Copy of which has been annexed as Annexure –P3.

7. It is a term of the settlement that the respondent Nos. 2 to 4 shall cooperate with the petitioner for quashing of the FIR No. 58/2019 under Sections 307/325/323/34 Indian Penal Code, 1860, registered at P.S. Dabri.

8. On a query posed by the Court, respondent nos.2 to 4 affirm the factum of settlement arrived with the petitioner and state that they have no objection in case the aforesaid 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 aforementioned 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 other consequential proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No. 58/2019 under Sections 307/325/323/34 Indian Penal Code, 1860, registered at P.S. Dabri alongwith all other proceedings emanating therefrom, is quashed.
13. The petition alongwith pending application stands disposed of in the above terms.
14. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

NOVEMBER 27, 2025/ Pallavi