



\$~64

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

+ CRL.M.C. 2194/2024 & CRL.M.A. 8518/2024

NEERAJ VERMA & ORS.

.....Petitioners

Through: Mr. Bhagwaj Jha, Ms. Bandana Jha,
Mr. Arya Kumar, Advs with P-2 and
3 in person
P-1 appeared through VC

versus

THE STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Pradeep Gahlot, APP for State
R-2 to 5 appeared through VC
SI Sushil, P.S. Kalkaji

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

16.01.2025

1. The present petition has been filed under Section 482 Cr.P.C seeking quashing of FIR No. 519/2016, under Sections 365/368/343/120-B/34 IPC registered at Police Station Kalkaji and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued in the present petition *vide* order dated 23.07.2024. The learned counsel for the petitioner further submits that there was monetary disputes between the petitioners and the complainant/respondent nos.2 and 3.
3. He further submits that the respondent nos.4 and 5 are also co-accused. However, they have been arrayed as respondents since they are not ready to settle the matter at this stage.



4. The petitioner nos.2 and 3 are present in Court whereas the petitioner no.1 and the respondent nos.2 to 5 have joined through V.C. The parties have been identified by the I.O. S.I. Sushil, P.S. Kalkaji.
5. The brief facts of the case are that the present FIR was registered at the instance of respondent no.3, whereby he filed a missing report of respondent no.2 which was registered as FIR no.519/2016.
6. During the pendency of the proceedings, parties have arrived at settlement. The terms whereof have been reduced in writing in the form of compromise deed dated 04.03.2024, a copy of which is annexed as annexure C with the present petition.
7. It is recorded in the settlement that the parties have amicably decided to settle the matter and the petitioners will pay a sum of Rs.5,00,000/- to the respondent nos.2 and 3 by way of compensation.
8. It is a term of the settlement between the parties that the petitioners shall pay a total sum of Rs.5,00,000/- to the respondent nos.2 and 3 towards full and final compensation. The entire amount of Rs. 5,00,000/- has been paid to the respondent nos.2 and 3 in the manner stated in the compromised deed.
9. The receipt of entire amount of Rs.5,00,000/- is acknowledged by the respondent no.2, who is present in court.
10. The learned counsel for the petitioner nos.2 and 3 are present in Court wherein the respondent no.1 and 2 to 5 have joined through V.C.
11. Learned counsel for the respondent nos.2 and 3/complainant, on a query posed by the Court, affirms the factum of settlement and states that they have no objection in case the aforesaid 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. 519/2016, under Sections 365/368/343/120-B/34 IPC registered at Police Station Kalkaji 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

JANUARY 16, 2025/j