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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2445/2024**
MANSOOR ALI KHANPetitioner

Through: Mr. Aditya Singh, Adv.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Ajay Vikram Singh, APP for
State with Insp. Rajeev, PS. Malviya
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.01.2025

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.417/2011 under Sections 452/323/34 IPC registered at Police Station Malviya Nagar 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 on 27.03.2024.
3. The learned APP submits that since the FIR is an outcome of a scuffle and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
4. The petitioner nos.1 to 4 are present in Court whereas the respondent nos. 2 and 3 have joined through VC and they have been identified by their respective counsel, as well as, by the Investigating Officer Insp. Rajeev, PS. Malviya Nagar.
5. The brief facts of the case are that a quarrel took place between the petitioners and the respondent no.2 which escalated to the level of fight in which the respondent no.2 suffered injuries. This led to the registration of present FIR.



6. During the pendency of the proceedings, the parties have arrived at a settlement in the form of an oral settlement.
7. It is a term of the settlement that the parties with the intervention of family and friends have resolved all their disputes amicably without any coercion or pressure.
8. It is also a term of the settlement that the respondent nos.2 and 3 will cooperate with the petitioners for the quashing of the present FIR.
9. The respondent nos.2 and 3, on a query posed by the Court, states that they have no objection in case the FIR is quashed.
10. 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.”

11. 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.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.417/2011 under Sections 452/323/34 IPC registered at Police Station Malviya Nagar



alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 16, 2025/dss