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

+ **CRL.M.C. 3638/2024**

MAHESH KUMAR TANWRU & ANR.Petitioners

Through: Mr. Mukesh Kumar Verma, Adv. with
petitioners in person.

versus

STATE, NCT OF DELHI & ANR.Respondents

Through: Mr. Ajay Vikram Singh, APP for State
with Insp. Kishan Vir Singh,
Sec-1/EOW
Mr. Mohit Sharma, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

14.01.2025

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.796/2007 under Sections 420/467/468/471/120-B IPC registered at Police Station Mehrauli and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued in the petition *vide* order dated 07.05.2024. The learned APP for the State submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioners, as well as, respondent no. 2/complainant are present in the Court and they have been identified by their respective counsel and by the



Investigating Officer Insp. Kishan Vir Singh, Sec-1/EOW.

4. The brief facts of the case are that the FIR was registered at the instance of respondent no.2 alleging cheating and forgery.

5. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Compromise Deeds which have been filed as Annexure P-4, Annexure P-7 and Annexure P-10, to the present petition.

6. The respondent no.2, who is present in Court, 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, 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.”

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 the FIR No.796/2007 under



Sections 420/467/468/471/120-B IPC registered at Police Station Mehrauli
alongwith all other proceedings emanating therefrom, is quashed.

11. The petition stands disposed of in the above terms.
12. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 14, 2025
N.S. ASWAL