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

+ **CRL.M.C. 3825/2024**

SMT. DARSHI @ DARSI

.....Petitioner

Through: Mr. Manu Gupta and Mr. Shishir
Bhardwaj, Advs.
Petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Pradeep Gahlot, APP for State
with Insp. Satyender Dhull PS EOW
Mr. Shalabh Gupta, Ms. Himani
Aggarwal and Mr. Manoj Bansal,
Advs. for R-2 with R-2 in person.
Respondent no.3 (VC)

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

16.01.2025

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0156/2017 under Sections 420/511/468/406/120B/471/467/174A IPC registered at Police Station EOW and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Notice in the petition was issued *vide* order dated 13.05.2024. 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 petitioner, as well as, respondent no. 2 are present in Court whereas respondent no.3 has joined through VC and they have been identified by their respective counsel, as well as, by the Investigating Officer Insp. Satyender Dhull PS EOW.

4. The case of prosecution in brief is that the respondent no.2 company was owner of the property, part of which was fraudulently sold by the accused persons in connivance with the Sub-Registrar.

5. The learned counsel appearing on behalf of the petitioner submits that in the present FIR, two persons were arraigned as accused i.e. the petitioner herein, as well as, respondent no.3.

6. He submits that during pendency of the proceedings, parties have arrived at a settlement, terms whereof were reduced in writing in a joint application filed by the parties under Order 23 Rule 3 of CPC in the suit filed by the respondent no.2/complainant.

7. He submits that in terms of the settlement, the petitioner as well as the respondent no.3, have returned the possession of the suit property to the complainant.

8. The respondent no.2/complainant, who is present in Court, on a query posed by the Court, affirms the factum of settlement and states that she has no objection in case the 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 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 the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.0156/2017 under Sections 420/511/468/406/120B/471/467/174A IPC registered at Police Station EOW alongwith all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 16, 2025

N.S. ASWAL