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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3920/2024

ADITYA PRATAP SINGH

.....Petitioner

Through:

Mr. Ravin Rao, Mr. S. Rajput and Mr. Akshit, Advs.

versus

THE STATE (GOVT. OF NCT OF DELHI) AND ORS & ANR.

.....Respondents

Through:

Mr. Aman Usman, APP for State with SI Sumit Kumar, PS. Rajouri Garden, Delhi.

Mr. J.A. Chaudhary, Adv. for R-2 and R-3 along with R-2 and R-3 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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10.01.2025

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.1627/2015 under Sections 279/304A IPC registered at Police Station Rajouri Garden 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 15.05.2024. The learned APP for the State submits that since the FIR is an outcome of an accident and 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(father of the deceased) are present in Court, have been identified by their respective counsel, as well as,



by the Investigating Officer SI Sumit Kumar, PS. Rajouri Garden, Delhi.

4. The brief facts of the case are that the son of respondent nos. 2 and 3, who got injured in an accident with the vehicle being driven by the petitioner, passed away, which led to the registration of present FIR.

5. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding in April, 2024, which is annexed as Annexure D to the present petition.

6. It is recorded in the settlement between the parties that the petitioner shall pay a total sum of Rs.17 lacs to the respondent nos.2 and 3 towards full and final settlement of all their claims.

7. The entire amount of Rs. 17 lacs has been paid to the respondent nos.2 and 3 today in the Court by the petitioner no.1 by way of two Demand Drafts bearing Nos 015434 and 015436, both dated 07.01.2025, issued by HDFC Bank for an amount of Rs. 8.5 lac each.

8. The receipt of entire amount of Rs. 17 lacs is acknowledged by the respondent no.2, who is present in court and also hold an Authority Letter from his wife (respondent no.3), which has been filed on record.

9. The respondent no.2, 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.

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.1627/2015 under Sections 279/304A IPC registered at Police Station Rajouri Garden, West Delhi 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 10, 2025/dss