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

+ **CRL.M.C. 4246/2024**

SMT. SANTOSH DEVI AND ANR

.....Petitioners

Through: Mr. Ashish Kumar Upadhyay, Adv.
along with petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANRRespondents

Through: Mr. Aman Usman, APP for State with
S.I. Mahendra Koli, P.S. Bhalswa
Dairy, Delhi.
Mr. P.K. Dixit and Ms. Meghul Dixit,
Advts. for R-2 along with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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11.02.2025

CRL.M.A. 16096/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 4246/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.493/2022 under Sections 420/467/468/471/120B IPC registered at Police Station Bhalswa Dairy, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP appearing on behalf of the State, as well as, the learned counsel appearing on behalf of the respondent no.2



accepts notice.

5. The petitioners, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer i.e. S.I. Mahendra Koli, P.S. Bhalswa Dairy, Delhi.

6. The case of the prosecution is that FIR was registered at the instance of the respondent no.2 who alleged that the petitioners had entered into an Agreement to Sell with regard to the property which was subsequently sold by them in favour of their daughter.

7. During the pendency of the proceedings, the parties were referred to Mediation Centre, Rohini District Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement/Agreement dated 23.09.2022, a copy of which is annexed as Annexure P-2 to the present petition. The petition is also supported by an affidavit of respondent no.2 which is attached at page no.21 to the present petition.

8. The respondent no.2, on a query posed by the Court, states that he 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.493/2022 under Sections 420/467/468/471/120B IPC registered at Police Station P.S. Bhalswa Dairy, Delhi along with all other consequential 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

FEBRUARY 11, 2025

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