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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4511/2024**
HARENDRA PANCHAL@MONU & ORS.Petitioners
Through: **Mr. Pankaj Kumar, Advocate**

versus

THE STATE NCT OF DELHI AND ANRRespondent
Through: **Mr. Utkrash, APP for the State with SI**
Sushil, PS Jaitpur
Respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
31.01.2025

1. This petition has been filed by the Petitioners under Section 482 Cr. P.C. for quashing of FIR No. 677/2018 dated 04.11.2018, registered under Sections 323/427/506/452/34 IPC at PS: Jaitpur, Delhi along with all other proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued by this Court *vide* order dated 29.05.2024.
3. The petitioners, as well as, respondent no. 2 are present in Court. They have been identified by the learned counsel for the petitioners, as well as, by the I.O/ SI Sushil who is present in Court from the Police Station Jaitpur, Delhi.
4. The present FIR came to be registered on the complaint made by the



respondent no. 2 wherein he alleged that he was beaten and threatened by the petitioners. However, there is no allegation of injuries having been suffered by the respondent no. 2 in the alleged incident.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof have been reduced in writing in the form of Memorandum of Understanding dated 30.10.2023, which is annexed as Annexure-B to the present petition.

6. It is recorded in the settlement that both parties with the intervention of common friends, respectable persons and the well wishers of the same locality, have amicably resolved all their disputes without any pressure, threats, force, coercion or undue influence from any person. It is also a term of the settlement that the respondent no. 2 shall cooperate with the petitioners in quashing of the aforesaid FIR.

7. Learned counsel appearing for the petitioners submits that four accused persons were arrayed as accused while one accused person, namely, Mohit Sharma has passed away which position is also affirmed by the learned APP appearing on behalf of the State, on instructions from the I.O.

8. Respondent no. 2 who has joined through video conferencing, affirms the factum of settlement and states that he has no objection in case the aforesaid 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. 677/2018 dated 04.11.2018, registered under Sections 323/427/506/452/34 IPC at PS: Jaitpur, Delhi, alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

JANUARY 31, 2025
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