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

+ **CRL.M.C. 4545/2024**

PRAVEEN KUMAR

.....Petitioner

Through: Mr. Suraj Goliyan, Mr. Abhinav Rathi
and Mr. Manvendra Singh, Advs.
along with petitioner through VC.

versus

THE STATE AND ANOTHER

.....Respondents

Through: Ms. Kiran Bairwa, APP with S.I.
Sumeet Poonia, P.S. Vivek Vihar,
Delhi.
Mr. Saroj Kumar Jha, Adv. for R-2
along with R-2 [through VC].

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

31.01.2025

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.490/2015 under Sections 354D IPC and Section 66 IT registered at Police Station Vivek Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP appearing on behalf of the State, as well as, learned counsel appearing on behalf of the respondent no.2, who has joined through VC, accept notice.
3. The petitioner, as well as, respondent no. 2/complainant have joined through VC and they have been identified by their respective counsel, as well



as, by the Investigating Officer i.e. S.I. Sumeet Poonia, P.S. Vivek Vihar, Delhi.

4. The brief facts of the case are that the FIR came to be registered on a complaint made by the respondent no.2 alleging misbehaviour on the part of the petitioner.

5. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 12.12.2022, which is annexed as Annexure P-2 to the present petition.

6. It is recorded in the settlement that the parties have amicably settled all their disputes. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioner in quashing of the aforesaid FIR.

7. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

8. 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.”

9. 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.



10. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

11. Consequently, the petition is allowed and the FIR No.490/2015 under Sections 354D IPC and Section 66 IT registered at Police Station Vivek Vihar, Delhi along with all other consequential proceedings emanating therefrom, is quashed.

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

13. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 31, 2025

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