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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 5014/2024**

**SAKSHAM KATHURIA & ANR.**

.....Petitioners

Through: Mr. Abhijat, Sr. Advocate with Ms.  
Tanya Kathuria and Mr. Himmat,  
Advocates

versus

**THE STATE NCT OF DELHI AND ANR**

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the  
State with ASI Inder Singh

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

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**31.01.2025**

1. The present petition has been filed under Section 482 Cr. P.C. 1973 seeking quashing of FIR No. 14/2024 under Sections 186/353/332/506/34 IPC registered at Police Station Farsh Bazar, 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 25.07.2024.
3. Learned APP submits that some cost may be imposed on the petitioners as considerable time and effort has been spent on the investigation and judicial time has also been wasted and such cost may be paid to the complainant.
4. The petitioners are present in Court while the respondent no. 2 (complainant) has joined through video conferencing. The parties have been identified by the instructing counsel appearing on behalf of the petitioners as well as by the I.O/ ASI Inder Singh who is present in Court from the Police Station Farsh Bazar, Delhi.



5. The petitioners are practicing lawyers. The case of the prosecution is that verbal arguments occurred between the petitioners and respondent no. 2, a bailiff, on 08.01.2024 which escalated to a fight in which respondent no. 2 suffered injuries.
6. During the pendency of the proceedings, the parties are stated to have arrived at a settlement, terms whereof have been reduced in writing in the form of Settlement Deed dated 24.02.2024, which is annexed as Annexure P-5 to the present petition.
7. It is recorded in the settlement that the parties have amicably resolved all their disputes. It is also a term of settlement that respondent no. 2 will cooperate with the petitioner for quashing of the aforesaid FIR.
8. Learned Senior Counsel appearing on behalf of the petitioners submits that a counter complaint had been filed by the respondent no. 2 under the provisions of SC/ST Act against the petitioners and the same has already been withdrawn by the petitioners in terms of the settlement. He further submits that since the offences under Sections 186/353/332/506 of the IPC are not compoundable, the present petition has been filed seeking quashing of FIR.
9. The petitioners are present in Court and they express remorse for their conduct. They further state that they will not repeat such an act in future. However, considering the facts and circumstances, this Court deems it appropriate to impose cost on the petitioners, in the interest of justice.
10. 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.
11. 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.”*

12. 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. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed but subject to payment of cost of Rs. 25,000/- each by the petitioners to the respondent no. 2, within two weeks. Proof of payment of cost will be filed by the petitioners alongwith their affidavit within four weeks thereafter. In case such proof is not furnished the Registry is directed to place the matter before the Court.

13. Consequently, the petition is allowed and the FIR No. 14/2024 under Sections 186/353/332/506/34 IPC registered at Police Station Farsh Bazar, Delhi alongwith all other proceedings emanating therefrom, is quashed subject to payment of cost as aforesaid.

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

**VIKAS MAHAJAN, J**

**JANUARY 31, 2025/‘rs’**