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

+ **CRL.M.C. 5292/2024**

AMAR SINGH @AMAN AND ANRPetitioners

Through: Mr. Rajbir Singh Sagar, Adv. with
petitioners in person.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Deepa PS Seelampur
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
16.01.2025

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.237/2019 under Sections 354/354A/506 IPC and Section 8/21 POCSO Act registered at Police Station Seelampur and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice.
3. The petitioners, as well as, respondent no. 2(complainant) are present in the Court and they have been identified by Investigating Officer SI Deepa PS Seelampur.
4. The respondent no.2 is stated to be presently aged about 21 years.



This fact is also affirmed by the learned APP, on instructions from the IO, who is present in Court.

5. The respondent no.2 submits that she is a student of BA Programme and does not wish to prosecute the present case.

6. The brief facts of the case are that the FIR was registered at the instance of the respondent no.2 alleging misbehaviour against the petitioner no.1. The petitioner and respondent no. 2 are close relatives.

7. The respondent no.2, who is present in Court, on a query posed by the Court, states that on account of some misunderstanding the present FIR came to be registered and she is not interested in prosecuting the present case. She further submits 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.237/2019 under Sections 354/354A/506 IPC and Section 8/21 POCSO Act registered at Police Station Seelampur alongwith all other 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 16, 2025
N.S. ASWAL