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

+ **CRL.M.C. 5631/2024**

RAJ KUMAR

....Petitioner

Through: Mr. Abhishek Khari and Mr. Deepak Mishra, Advocates

versus

STATE NCT OF DELHI AND ORS

.....Respondent

Through: Mr. Aman Usman, APP for the State with SI Sachin, PS Khajuri Khas Respondent no. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.02.2025

CRL.M.A. 21499/2024 (exemption)

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

CRL.M.C. 5631/2024

3. The present petition has been filed under Section 482 Cr. P.C. seeking quashing of FIR No. 740/2013 under Sections 354C IPC registered at Police Station Khajuri Khas, 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 accepts notice.
5. The petitioner, as well as, respondent no. 2 (victim) along with



respondent no. 3 (her husband) are present in the Court and they have been identified by the petitioner's counsel, as well as, by the Investigating Officer/ SI Sachin, Police Station Khajuri Khas, Delhi.

6. The case of the prosecution is that the FIR came to be registered on a complaint made by respondent no. 2 alleging that the petitioner had made inappropriate video of her.

7. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 28.05.2024, which is annexed as Annexure P-3 to the present petition.

8. It is recorded in the settlement that the parties have arrived at a settlement out of their free will and without any coercion or pressure and have settled their disputes. It is also a term of the settlement that respondent nos. 2 and 3 will cooperate with the petitioner for quashing of the aforesaid FIR.

9. The respondent nos. 2 and 3 are present in Court and on a query posed by the Court, affirm the factum of settlement and state that they have no objection in case the FIR is quashed.

10. 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.”



11. 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.

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

13. Consequently, the petition is allowed and the FIR No. 740/2013 under Sections 354C IPC registered at Police Station Khajuri Khas, Delhi along with all other consequential proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 17, 2025
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