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

+ **CRL.M.C. 5669/2024**

RIKKY @ SURENDER SINGH

.....Petitioner

Through: Mr. Ranvir Singh, Adv. with petitioner
in person.

versus

THE STATE GOVT. NCT OF DELHI & ANRRespondents

Through: Mr. Aman Usman, APP for State with
SI Mayank Istwal PS Kalyanpuri,
Delhi

Mr. A.K. Singh, Adv. for R-2 with
respondent no. 2 and victim in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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25.02.2025

CRL.M.A. 21655/2024 (exemption)

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

CRL.M.C. 5669/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0173/2016 under Sections 341/506/354(D)/509 IPC and Section 12 of POCSO Act registered at Police Station Kalyanpuri, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. The learned APP for the State accepts notice. He submits



that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioner no.1, as well as, respondent no. 2/complainant, who is father of the victim are present in the Court. Even the victim herself is present in Court. The parties have been identified by their respective counsel, as well as, by the Investigating Officer SI Mayank Istwal PS Kalyanpuri, Delhi.

6. The facts in brief are that the present FIR came to be registered at the instance of respondent no.2 on the allegation of stalking and misbehaviour by the petitioner with his daughter.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 21.05.2024, which is annexed as Annexure P-4(colly) to the present petition.

8. The victim is present in Court. On a query posed by the Court, she submits that she is about 24 years of age and further states that she does not wish to continue the proceedings. Likewise, the complainant, who has been arraigned as respondent no. 2 also states that he does not wish to prosecute the present matter and further states that the settlement has been arrived at between the parties.

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.0173/2016 under Sections 341/506/354(D)/509 IPC and Section 12 of POCSO Act registered at Police Station Kalyanpuri, Delhi all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

FEBRUARY 25, 2025
N.S. ASWAL