



\$~88

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

+ CRL.M.C. 5879/2024 & CRL.M.A. 22460/2024

ANKUSH KUMAR

.....Petitioner

Through: Mr. R.K. S. Bajwa, Ms. Jagjit Bajwa,
Ms. Anjali Solanki and Mr. Saksham
Saxena, Advs. with petitioner in
person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Pradeep Gahlot, APP for State
with SI Virender Kumar PS Model
Town
Mr. Vibhor Vardhan, Mr. Rituraj
Pandey and Mr. Harshit Kuchhal,
Advs. for R-2
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

16.01.2025

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.466/2016 under Sections 354/509 IPC registered at Police Station Model Town, North West Distt., Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice in the petition was issued *vide* order dated 31.07.2024.
3. The petitioner, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel, as well as, by the



Investigating Officer SI Virender Kumar PS Model Tow.

4. The brief facts of the case are that the present FIR was registered at the instance of respondent no.2 wherein she had alleged misbehaviour by the petitioner herein.

5. During the pendency of the proceedings, the parties have arrived at a settlement.

6. The respondent no.2, who is present in Court, on a query posed by the Court, affirms the factum of settlement. She submits that the petitioner is younger brother of her husband and she does not wish to prosecute the present case. She further states that she has no objection in case the FIR is quashed.

7. 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.”

8. 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.

9. It is, thus, in the interest of justice that the present FIR and all the



other proceedings emanating therefrom be quashed.

10. Consequently, the petition is allowed and the FIR No.466/2016 under Sections 354/509 IPC registered at Police Station Model Town, North West Distt., Delhi alongwith all other proceedings emanating therefrom, is quashed.

11. The petition alongwith pending application stands disposed of in the above terms.

12. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 16, 2025

N.S. ASWAL