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

+ **CRL.M.C. 6123/2024**

PRAMOD GOYAL

.....Petitioner

Through: Mr. Manish Gandhi, Adv. along with
petitioner.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP with S.I.
Rishi Kant Mishra, P.S. Vasant Kunj
(North), New Delhi.
Mr. Akhil Maan and Mr. Ayush
Kumar, Advs. for R-2 along with R-2.

+ **CRL.M.C. 6125/2024**

DINESH & ORS.

.....Petitioners

Through: Mr. Akhil Maan and Mr. Ayush
Kumar, Advs. along with petitioners.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP with S.I.
Rishi Kant Mishra, P.S. Vasant Kunj
(North), New Delhi.
Mr. Manish Gandhi, Adv. for R-2
along with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

29.01.2025

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1. These two petitions have been filed under Section 528 of BNSS, 2023 seeking quashing of following FIRs and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement:



- (i) FIR No.1076/2015 under Sections 308/279/34 IPC registered at P.S. Vasant Kunj (North), Delhi at the instance of respondent no.2 in CRL.M.C. 6123/2024.
 - (ii) FIR No.1078/2015 under Sections 308/279/341/506/34 IPC registered at P.S. Vasant Kunj (North), Delhi at the instance of respondent no.2 in CRL.M.C. 6125/2024.
2. The petitioners, as well as, respondent no.2, in both the petitions, are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer i.e. S.I. Rishi Kant Mishra, P.S. Vasant Kunj (North), New Delhi.
 3. The case of the prosecution in brief is that the cars of the complainants in both the FIRs hit each other followed by a scuffle between the parties which led to the registration of the aforesaid two cross-FIRs.
 4. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding (MOU) dated 27.05.2024, a copy of which are annexed as Annexure A-4 to the present petition.
 5. It is recorded in the settlement that parties have resolved their disputes and have willingly arrived at a settlement and have further abandoned their respective claims against each other. It is also a term of the settlement that the parties will cooperate with each other in quashing of the aforesaid two FIRs.
 6. The respondent no.2 in both the cases, on a query posed by the Court, state that they have 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 FIR No.1076/2015 under Sections 308/279/34 IPC and FIR No.1078/2015 under Sections 308/279/341/506/34 IPC, both registered at P.S. Vasant Kunj (North), Delhi along with all other consequential proceedings emanating therefrom, is quashed.

11. The petitions stand disposed of in the above terms.

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

VIKAS MAHAJAN, J

JANUARY 29, 2025

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