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

+ **CRL.M.C. 6263/2024**

VIJAY BAHADUR & ORS.

.....Petitioners

Through: Mr. Ashok Thagal, Mr. Sandeep Kumar and Mr. Anshul, Advs. with petitioners in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Wali, APP for State with SI Sangeeta PS Shahbad Dairy
Mr. Mohd. Furkan, Adv. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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20.02.2025

CRL.M.A. 23984/2024 (exemption)

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

CRL.M.C. 6263/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.431/2018 under Sections 354/506/34 IPC registered at Police Station Shahbad Dairy 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 petitioners, as well as, respondent no. 2/complainant are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Sangeeta PS Shahbad Dairy.

6. The present FIR is an outcome of a dispute between the respondent no.2 and her in-laws wherein after the death of husband of respondent no.2 in 2017, she alongwith her children started living with her parents due to some temperamental differences. This led to the registration of present FIR.

7. The learned counsel appearing on behalf of the petitioner submits that the father-in-law, mother-in-law and brother-in-law of respondent no.2 have been arraigned as accused.

8. He further submits that during the pendency of the proceedings, the parties were referred to Delhi Mediation Center, Tis Hazari Courts, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 21.10.2023, which is annexed as Annexure P-5 to the present petition.

9. In terms of the said settlement, the respondent no.2 along with her children, has been allowed by her father-in-law (petitioner no.1) to stay on the first floor of the house owned by him. It is further a term of settlement that the petitioner no.1 will transfer the title of the first floor in favour of his grandchildren after they attain the age of majority.

10. The respondent no.2, who is present in Court, on a query posed by the Court, affirms the factum of settlement and states that she has no objection in case the FIR is quashed.

11. 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.”

12. The dispute involved in the present case is a family dispute. Further, 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.

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

14. Consequently, the petition is allowed and FIR No.431/2018 under Sections 354/506/34 IPC registered at Police Station Shahbad Dairy along with all other consequential proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 20, 2025

N.S. ASWAL