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

+ CRL.M.C. 7300/2024

VIKAS SHARMA ALIAS VICKY AND ORSPetitioners

Through: Appearance not given.

versus

THE STATE NCT OF DELHI AND ORSRespondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Suresh Kumar, PS. New
Usmanpur.

+ CRL.M.C. 8962/2024

DINESH KUMAR SHARMA & ORS.Petitioners

Through: Mr. Jaiveer, Adv.

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Suresh Kumar, PS. New
Usmanpur.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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15.01.2025

1. The present petitions have been filed under Section 482 CrPC seeking quashing of FIR No.900/2014 in CRL.M.C. 7300/2024 and FIR No.899/2014 in CRL.M.C. 8962/2024 dated 20.09.2014, both under Sections 308/323/354/34 IPC and registered at Police Station New Usmanpur, and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued in CRL.M.C. 7300/2024 on 04.10.2024 whereas the notice was issued in CRL.M.C. 8962/2024 on 18.11.2024.
3. The FIR No.900/2014 was registered at the instance of the respondent no.2/complainant in CRL.M.C. 7300/2024 whereas the FIR No.899/2014 was registered at the instance of the respondent no.3/complainant in



CRL.M.C. 8962/2024.

4. The learned APP submits that since the FIRs are an outcome of a scuffle and the parties have arrived at a settlement, the State has no objection in case the cross FIRs in question are quashed.

5. The petitioner nos.1 to 4, as well as, respondent nos. 2 to 3 in CRL.M.C. 7300/2024 and the petitioner nos. 1 to 4, as well as, the respondent nos.2 to 4 in CRL.M.C. 8962/2024, are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Suresh Kumar, PS. New Usmanpur.

6. The brief facts of the case are that the parties are stated to be related to each other and residing in the same colony. A dispute has arisen between the parties leading to the registration of cross FIRs.

7. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise Deed/MoU dated 28.11.2023, which is annexed as Annexure P-3 to the present petitions.

8. It is a term of the settlement that the parties, with the intervention of family and friends, have resolved all their disputes amicably without any coercion or pressure.

9. It is recorded in the settlement that the parties will cooperate with each other for the quashing of the cross FIRs.

10. The complainants in both the matters, on a query posed by the Court, affirm the factum of settlement and state that they have no objection in case the cross FIRs are quashed.

11. At this stage, apt would it be to refer to the observations of a coordinate Bench of this Court in ***Manoj Kumar & Ors. v. State & Anr.***,



2016:DHC:2419 :

“9. As discussed above, offence punishable under Section 308 IPC is not compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.”

12. 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 FIRs and all the other proceedings emanating therefrom be quashed.

14. Consequently, the petitions are allowed and the FIR No.900/2014 in CRL.M.C. 7300/2024 and FIR No.899/2014 in CRL.M.C. 8962/2024 dated 20.09.2014 under Sections 308/323/354/34 IPC registered at Police Station New Usmanpur alongwith all other proceedings emanating therefrom, are quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 15, 2025/dss