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

+ **CRL.M.C. 7596/2024**

MANINDER PAL SINGH AND ORS

.....Petitioners

Through: Mr. Vipul Srivastav, Mr. Rajindra Vats, Ms Kislava Prashar, Ms. Ritika Ghai and Mr. Nitish Sharma, Advs.
Petitioners in person.

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Aman Usman, APP for State with SI Sachin Yadav PS Ashok Vihar
Ms. Mahima Malhotra, Mr. A. Dubey and Mr. Rudraksh Nakra, Advs. for R-2
Respondent no. 2 (through VC)

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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13.01.2025

CRL.M.A. 29006/2024 (exemption)

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

CRL.M.C. 7596/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.303/2024 under Sections 318(4)/336(2)/338/340(2)/3(5) BNS registered at Police Station Ashok Vihar



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 are present in Court whereas respondent no. 2 has joined through VC and they have been identified by their respective counsel and by the Investigating Officer SI Sachin Yadav PS Ashok Vihar.

6. The brief facts of the case are that complainant had leased out the premises to the present petitioners. Some disputes arose with regard to the same, which led to the filing of the complaint by the respondent no.2/complainant, which culminated into the aforesaid FIR.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Settlement dated 26.08.2024, which is annexed as Annexure P-2 to the present petition.

8. As per the terms of Memorandum of Settlement, the petitioners have handed over the vacant physical possession of the leased premises to the respondent no.2/complainant.

9. The respondent no.2, who has joined through VC, on a query posed by the Court, states that he has no objection in case the FIR is quashed.

10. 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.”

11. In view of the settlement between the parties, 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.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.303/2024 under Sections 318(4)/336(2)/338/340(2)/3(5) BNS registered at Police Station Ashok Vihar along with all other consequential proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 13, 2025

N.S. ASWAL