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

+ **CRL.M.C. 7757/2024**

SAGAR SINGH

.....Petitioner

Through: Ms. Shreya Yadav, Mr. Ankit Kumar
and Mr. Sunil Tomer, Advs.

versus

GOVT OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Pramod Kumar, PS. Sarojini
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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10.01.2025

CRL.M.A. 29609/2024 (exemption) and CRL.M.A. 29610/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

CRL.M.C. 7757/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.302/2013 under Sections 279/338/471 IPC and Sections 3/181 of Motor Vehicle Act registered at Police Station Sarojini Nagar 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 FIR is an outcome of an accident and the parties have arrived at a settlement, the State has no objection in case the FIR in question is



quashed.

5. The petitioner, as well as, respondent nos. 2 and 3, who are present in court, have been identified by their respective counsel, as well as, by the Investigating Officer SI Pramod Kumar, PS. Sarojini Nagar.

6. The brief facts of the case are that the respondent no.2 along with her husband/respondent no.3, was coming back to their home in TSR No. DL 1RL 5856 at around 11:15 p.m., when they met with an accident with JCB coming at a very high speed from the opposite direction and the respondent no.3 was severally injured and he was admitted in the hospital. This led to the registration of present FIR.

7. During pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Patiala House Court, New Delhi, where they arrived at a settlement, terms whereof have been recorded by the learned Trial Court in its order dated 17.09.2019, which is annexed as Annexure C to the present petition.

8. The respondent nos.2 and 3, on a query posed by the Court, affirm the factum of settlement and state that they have no objection in case the FIR is quashed. They also affirm that they have not claimed any compensation.

9. 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.”

10. 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.
11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.302/2013 under Sections 279/338/471 IPC and Sections 3/181 of Motor Vehicle Act registered at Police Station Sarojini Nagar alongwith all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 10, 2025/dss