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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7839/2024**
DINESH AND OTHERSPetitioners
Through: Mr. Vipin Rana and Mr. S.K. Gill,
Adv.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents
Through: Mr. Naresh Kumar Chahar, APP for
State with SI Nitin Kumar, PS. Harsh
Vihar.
Ms. Ritu and Mr. Vinay Panwar,
Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
18.02.2025

CRL.M.A. 29917/2024 (exemption)

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

CRL.M.C. 7839/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.138/2024 under Sections 392/394/411/34 IPC registered at Police Station Harsh 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 FIR is an outcome of a monetary dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is



quashed.

5. The petitioner nos.1 to 4, as well as, the respondent no. 2, who are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Nitin Kumar, PS. Harsh Vihar.

6. The case of the prosecution is that the complainant/respondent no.2 i.e. Ram Singh owed an amount of Rs. 1.59 lacs and Rs. 1.74 lacs to Raju and his brother Dinesh (petitioner no.1) respectively. The complainant/respondent no.2 came to Delhi to settle such accounts and while he was passing through Fanne Kha Mod Road near Dharamveer's office, petitioner no.1 came along with four other persons and took away the bag of the complainant/respondent no.2 and further gave beatings to complainant/respondent no.2 and his son which led to the registration of present FIR.

7. The learned counsel for the petitioners invites attention of the Court to the FIR to contend that there was a monetary dispute between the petitioner no.1 and his brother Raju with the respondent no.2 and all the parties belong to the same village namely Kathoda, District Bhind, M.P.

8. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise Deed dated 29.08.2024, which is annexed as Annexure P-2 to the present petition.

9. As per the compromise deed, the parties have resolved all their disputes and have arrived at a settlement. It is also recorded in the settlement that the respondent no.2 will cooperate with the petitioners for the quashing of the present FIR.

10. The respondent no.2, on a query posed by the Court, states that he 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 in the present case appears to be private in nature. 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 the FIR No.138/2024 under Sections 392/394/411/34 IPC registered at Police Station Harsh Vihar alongwith all other 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 18, 2025/dss