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

+ **CRL.M.C. 8288/2024**

GYAN SURI

.....Petitioner

Through: Mr. Harsh Shivangi Singh and Ms.
Sangita Chauhan, Advocates

versus

THE STATE AND ANR & ANR.

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for
State with SI Sonal Raj, Model Town
Mr. Raj Kumar, Mr. Vinod Kumar,
Mr. Ashok and Mr. Gaurav Sharma,
Advocates for R-2/complainant

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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21.01.2025

CRL. M.A. 31684/2024 (exemption)

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

CRL.M.C. 8288/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 849/2015 under Sections 354/509/506 IPC registered at Police Station Model Town, Delhi along with all other proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. Learned APP appearing on behalf of the State accepts



notice. Learned counsel for the respondent no. 2 (complainant), who appears alongwith respondent no.2, also accepts notice. They submit that since the parties have arrived at a settlement they have no objection in case the present FIR is quashed.

5. The petitioner as well as respondent no. 2 (complainant) are present in Court and they have been identified by their respective counsel and by the I.O/ SI Sonal Raj, Police Station Model Town, Delhi.

6. The case of the prosecution in brief is that the petitioner misbehaved with the respondent no. 2 which led to the registration of the aforesaid FIR at the instance of respondent no. 2/complainant.

7. During the pendency of the suit, the parties have arrived at a settlement, terms whereof were reduced into writing in the form of Compromise Deed dated 22.04.2024, a copy of which is annexed as Annexure-P3 to the present petition.

8. Respondent no. 2 who is present in Court, on a query posed by the Court, affirms the factum of settlement and states that he has no objection in case the aforesaid FIR is quashed.

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. 849/2015 under Sections 354/509/506 IPC registered at Police Station Model Town, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

JANUARY 21, 2025
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