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

+ CRL.M.C. 8300/2024 & CRL.M.A. 31716/2024

NARENDER SINGH @ BABLU & ANR.Petitioners

Through: Mr. Naveen Chauhan, Adv.

versus

STATE GOVT.OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Vipin Kumar, PS. Keshav Puram.
Mr. Kanhaiya Singhal and Ms. Liza
Arora, Advs. for R-2.

+ CRL.M.C. 8864/2024 & CRL.M.A. 33913-14/2024

SH. RAJ KUMAR ARORA ALIAS RAJJU & ORS.....Petitioners

Through: Mr. Kanhaiya Singhal, Mr. Binwant
Singh and Ms. Liza Arora, Advs

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.....Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Vipin Kumar, PS. Keshav Puram.
Mr. Naveen Chauhan, Adv. for
Daughter in law of complainant/R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

28.01.2025

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1. The present petitions have been filed seeking quashing of FIR
No.175/2016 dated 29.02.2016 under Sections 354/354A/
354B/509/506/452/323/34 IPC at PS Keshav Puram registered at the instance



of the respondent no.2 in CRL.M.C. 8300/2024 and FIR No.174/2016 dated 29.02.2016 under Sections 354A/509/506/323/34 IPC at PS Keshav Puram in CRL.M.C. 8864/2024 and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Notice was issued in the present petitions on 18.11.2024.

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

4. The parties are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Vipin Kumar, PS. Keshav Puram except respondent no.2 in CRL.M.C. 8864/2024. In so far as the respondent no.2 in CRL.M.C. 8864/2024 is concerned, she had passed away during the pendency of the proceedings and the death certificate has been placed on record, which is Annexure A-3 in CRL.M.C. 8864/2024.

5. The brief facts of the cases are that an altercation occurred between the neighbours on 29.02.2016 due to which following cross-FIRs were registered:

(i) FIR No.174/2016 under Sections 354A/509/506/323/34 IPC at PS Keshav Puram, Delhi [at the instance of Harpyari (now deceased) [CRL.M.C. 8864/2024].

(ii) FIR No.175/2016 under Sections 354/354A/354B/509/506/452/323/34 IPC at PS Keshav Puram, Delhi [at the instance of respondent no.2 in Crl.M.C.No.8300/2024].

6. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed/Memorandum of Understanding dated 06.11.2023, which is annexed to the present petitions.



7. 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.

8. It is also a term of the settlement that the parties will cooperate with each other for the quashing of present FIRs.

9. The complainant in CRL.M.C. 8300/2024, on a query posed by the Court, affirms the factum of settlement and states that she has no objection in case the said FIR No.175/2016 is quashed. Likewise, the victim in CRL.M.C. 8864/2024 also states that she has no objection in case the aforesaid FIR No.174/2016 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, 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.

12. It is, thus, in the interest of justice that the present FIRs and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petitions are allowed and the FIR No.175/2016



dated 29.02.2016 under Sections 354/354A/354B/509/506/452/323/34 IPC at PS Keshav Puram and FIR No.174/2016 dated 29.02.2016 under Sections 354A/509/506/323/34 IPC at PS Keshav Puram, alongwith all other proceedings emanating therefrom, are quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 28, 2025/dss