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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8663/2024**
SWATI THAKURPetitioner

Through: Mr. Pramod Kumar, Adv. with
petitioner in person

versus

STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Hitesh Wali, APP for State with SI
Sumit PS Prem Nagar
Mr. Simran Aggarwal, Adv. for R-2
with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
17.02.2025

CRL.M.A. 33104/2024 (exemption)

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

CRL.M.C. 8663/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.378/2023 under Sections 323/341/506 IPC registered at Police Station Prem Nagar, District Rohini, Delhi 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 petitioner, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Sumit PS Prem Nagar.

6. The facts in brief are that the petitioner is married to the son of the respondent no.2. A verbal spat had occurred between the petitioner and her husband that escalated resulting in the respondent no.2 getting injured. This led to the registration of the present FIR.

7. The learned counsel appearing on behalf of the petitioner submits that the FIR is an outcome of a matrimonial dispute. He submits that the parties are now residing together and have amicably resolved all their differences. The Deed of Settlement dated 18.10.2024 arrived at between the parties is on record and the same is annexed as Annexure P2.

8. The parties, who are present in Court affirm the factum of settlement and the respondent no.2 also states that she 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.378/2023 under Sections 323/341/506 IPC registered at Police Station Prem Nagar, District Rohini, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 17, 2025

N.S. ASWAL