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

+ **CRL.M.C. 7749/2025**

TARUN NAGAR

.....Petitioner

Through: Mr. Sunil Kumar, Mr. Shivam Dubey
and Ms. Suman Jaiswal, Advs. with
petitioner in person.

versus

THE STATE NCT OF DELHI AND ANR & ORS.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Ashish PS Gazipur.
Ms. Richa Sharma, Adv. for R-2 with
respondent no. 2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.11.2025

CRL.M.A. 32427/2025 (exemption)

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

CRL.M.C. 7749/2025

3. The present petition has been filed under Section 528 BNSS seeking quashing of FIR No. 438/2013 under Sections 354A/509 of the IPC registered at Police Station Ghazipur, 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.
5. The petitioner, as well as, respondent are present in the Court and they have been identified by their respective counsel and by the Investigating



Officer/ SI Ashish, PS Ghazipur.

6. The case set out in the present petition is that there was some dispute between the petitioner, as well as, the respondent no.2 on account of which the FIR came to be registered at the instance of the respondent no.2.

7. However, during pendency of the proceedings, the parties have amicably settled their disputes, terms whereof were reduced in writing in the form of compromise deed dated 02.07.2025.

8. The respondent no.2, who is present in Court on being queried by the Court, affirms the factum of settlement and states that she does not wish to prosecute the criminal proceedings.

9. At this stage, it is apt 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. At this stage Mr. Sabharwal submits that since the FIR is of the year 2013 and the criminal law has been put into motion in which lot of time and effort has been spent by the investigating agency, the petitioner may be put to some cost.

13. In the present case, the State machinery has been put into motion and considerable time and resources of the investigating agency have been spent in the investigation of the matter and further the judicial time has also been wasted, it is deemed appropriate to impose cost of Rs.10,000/- on the petitioner.

14. Consequently, the petition is allowed and the FIR No. 438/2013 under Sections 354A/509 of the IPC registered at Police Station Ghazipur, Delhi alongwith all other proceedings emanating therefrom, is quashed, subject to the petitioner depositing cost of Rs.10,000/- to “Delhi High Court Staff Welfare Fund”.

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

VIKAS MAHAJAN, J

NOVEMBER 4, 2025/N.S. ASWAL