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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 9364/2024**  
**WASEEM RAJA & ORS.** .....Petitioners  
Through: Mr. Mohd. Junai Ibrahim, Mr. Mohd. Salman and Mr. Prashant Kr. Mittal, Advocates along with all petitioners

versus

**STATE OF NCT OF DELHI & ORS.** .....Respondents

Through: Mr. Nawal Kishore Jha, APP for State along with SI Kapil Singh, PS Bara Hindu Rao  
Mr. I. Ahmed, Advocate for R-2 and 3 along with R-2 & 3 in person.

**CORAM:**  
**HON'BLE MR. JUSTICE VIKAS MAHAJAN**  
**ORDER**  
**20.01.2025**

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1. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 4/2018 under Sections 454/380/506(ii)/34 IPC registered at Police Station Bara Hindu Rao, Delhi along with all other proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. The petitioners as well as respondent nos. 2 and 3 are present in Court and they have been identified by their counsel as well as by the I.O/ SI Kapil Singh, Police Station Bara Hindu Rao, Delhi.
3. The aforesaid FIR came to be registered at the instance of husband of respondent no. 2 and the father of petitioners. The petitioners are stated to be



children of other wife of late Shri Akhtar Hussain, husband of respondent no.

2. Shri Akhtar Hussain passed away on 17.10.2019.

4. It is stated that the aforesaid FIR is an outcome of property dispute between the petitioner and the respondents.

5. During the pendency of the proceedings, the parties were referred to mediation at Delhi Mediation Centre, Tis Hazari Courts, Delhi where parties arrived at a settlement, the terms whereof were reduced into writing in the form of a Mediation Settlement dated 14.12.2021, a copy of which is annexed to the present petition.

6. It is recorded in the settlement that the parties have amicably resolved all their disputes. It is also recorded in the settlement that respondent nos. 2 and 3 will cooperate with the petitioners for quashing of the present FIR.

7. Respondent no. 2 who is present in Court along with respondent no. 3, on a query posed by the Court, affirms the factum of settlement and states that she has no objection in case the aforesaid FIR is quashed.

8. 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.”*

9. 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.

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

11. Consequently, the petition is allowed and the FIR No. 4/2018 under Sections 454/380/506(ii)/34 IPC registered at Police Station Bara Hindu Rao, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

**VIKAS MAHAJAN, J**

**JANUARY 20, 2025**

**‘rs’**