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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9486/2024 & CRL.M.A. 36425/2024**
RAVINDER SAINIPetitioner

Through: Ms. Mamta Garg, Ms. Mukta Garg,
Mr. Vishal and Ms. Anjuly Gupta,
Advs.

versus

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

Through: Mr. Pradeep Gahlot, APP for State
with SI Akash Kumar, PS.
Bhajanpura.
Mr. Amarjeet Singh, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
20.01.2025

1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.266/2018 under Sections 363/366/368 IPC registered at Police Station Bhajanpura and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice. He submits that since the parties have arrived at a settlement and are now married to each other, the State has no objection in case the FIR in question is quashed.
3. The petitioner (husband) and respondent no. 2 (wife), who are present in Court, have been identified by their respective counsel, as well as, by the



Investigating Officer SI Akash Kumar, PS. Bhajanpura.

4. The brief facts of the case are that the present FIR was registered at the instance of the mother of the respondent no.2/complainant, who alleged kidnapping which led to the registration of present FIR.

5. During the pendency of the proceedings, the parties have arrived at a settlement and the respondent no.2 got married to the petitioner. It is stated that subsequently the parties have been blessed with two daughters.

6. On query posed by the Court, the learned APP on instructions from the I.O, who is present in Court, affirms the factum of settlement. He further confirmed that the respondent no.2 is major and she is married to petitioner and they have been blessed with two daughters.

7. The respondent no.2, on a query posed by the Court, reiterate the fact that she is married to the petitioner and the couple have two daughters. She further urges the Court to quash the FIR.

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.266/2018 under Sections 363/366 IPC registered at Police Station Bhajanpura alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 20, 2025/dss