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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 9578/2024

MOHD. HASAN AND ANR.

.....Petitioners

Through: Mr. Dalip Kumar Santoshi, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) AND ANR

.....Respondent

Through: Mr. Digam Singh Dagar, APP for the
State with SI Deepa

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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07.01.2025

CRL.M.A. 36769/2024 (exemption)

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

CRL.M.C. 9578/2024

3. The present petition has been filed seeking quashing of FIR No. 267/2024 under Sections 354D/506/509/34 IPC & Section 67B IT Act and 12 POCSO Act on the ground that the parties have arrived at a settlement.
4. Issue notice. Learned Addl. PP appearing on behalf of the State accepts notice. The complainant, who is present along with the IO/SI Deepa, also accepts notice.
5. The case of the prosecution is that FIR was registered by the mother of the victim, who is the complainant in the present FIR, alleging that accused persons had morphed the images of her daughter and further posted them on the social media.



6. During the pendency of the proceedings, parties have arrived at a settlement, the terms whereof have been reduced into writing in the Settlement Deed dated 06.11.2024, copy of which has been annexed as Annexure-P2 to the present petition.

7. It is recorded in the settlement that the parties have arrived at a settlement without any coercion, pressure and undue influence and it is further the term of the settlement that the complainant and respondent no. 2 shall cooperate with the petitioners for quashing of the aforesaid FIR.

8. On a query posed by the Court, learned counsel for the petitioner submits that the petitioner no. 1 is aged about 19 years and whereas the petitioner no.2 is aged about 18 years.

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. 267/2024 under Sections 354D/506/509/34 IPC & Section 67B IT Act and 12 POCSO Act alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 7, 2025
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