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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9627/2024
GURSHAAN SINGH CHADHAPetitioner

Through: Mr. Abhishek Kamal, Adv.

versus

STATE OF NCT OF DELHI & ORS.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Vikas, PS. Inderpuri.
Mr. Hardik Sharma, Adv. for
complainant.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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15.01.2025

CRL.M.A. 36947/2024 (exemption)

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

CRL.M.C. 9627/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.176/2017 under Sections 354D/506/509 IPC registered at Police Station Inderpuri 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 nos. 2 to 4, who have joined through VC and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Vikas, PS. Inderpuri.



6. The brief facts of the case as borne out from the FIR that the petitioner had been continuously calling and harassing the complainant's wife and daughter from different numbers and he had also extended threats to the respondents, which led to the registration of present FIR.

7. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 26.09.2024, which is annexed as Annexure P-2 to the present petition.

8. It is a term of the settlement between the parties that the parties shall cooperate with each other in quashing of the aforesaid FIR.

9. The respondents, on a query posed by the Court, states that they have no objection in case the FIR is quashed.

10. 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.”

11. 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.

12. It is, thus, in the interest of justice that the present FIR and all the



other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No.176/2017 under Sections 354D/506/509 IPC registered at Police Station Inderpuri alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 15, 2025/dss