



\$~31

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 9854/2024**  
**KHAJAN SINGH & ORS.** .....Petitioners

Through: Mr. Arun Kanwa, Mr. Unmukt  
Bhardwaj and Mr. Rohan Wadhwa,  
Advs.

versus

**STATE OF NCT OF DELHI & ORS.** .....Respondents  
Through: Ms. Kiran Bairwa, APP for State with  
SI Dharmendra Sharma and SI  
Simran.

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

%

**19.02.2025**

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.215/2013 under Sections 323/363/368/34 IPC and Section 23 of Juvenile Justice Act, registered at Police Station Patel Nagar 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. She submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioner nos.1 to 7, as well as, the respondent nos. 2 and 3, who are present in Court, have been identified by their respective counsel, as well as, by the Investigating Officer SI Dharmendra Sharma and SI Simran.
4. The case of the prosecution is that a complaint was made by the respondent no.2 namely, Ms. Rekha Rani alleging that her son Manish Chauhan/respondent no.3 had gone missing. During investigation, it



transpired that the petitioner no.1/accused Khajan Singh had stated that a boy Manish had stolen recharge coupons from his shop and he had got the boy red handed with stolen recharge coupons. Upon this, Khajan Singh informed the parents of boy Manish who were residing in the next street. However, the respondent no.2 got the present FIR registered against the petitioners.

5. The learned counsel for the petitioner submits that the parties are resident of the same colony and it was on a trivial issue that the FIR came to be registered by the respondent no.2 on a misunderstanding.

6. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Compromise dated 04.11.2024, which is annexed as Annexure P-4 to the present petition.

7. It is a term of the settlement that the parties with the intervention of family and friends have resolved all their disputes amicably without any coercion or pressure.

8. It is also a term of the settlement that the respondent no.2 will cooperate with the petitioners for the quashing of the present FIR.

9. The respondent no.2, on a query posed by the Court, affirms the factum of settlement and states that she has 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. Concededly, the parties are resident of the same colony and the FIR appears to be an outcome of a trivial issue. Further, 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.215/2013 under Sections 323/363/368/34 IPC and Section 23 of Juvenile Justice Act, registered at Police Station Patel Nagar 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**

**FEBRUARY 19, 2025/dss**