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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 8380/2025**

MUNESH KAUSIK

.....Petitioner

Through: Mr. Moin Alam and Mr. T.M Subhani, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for State with SI Kuldeep Lamba, PS-Amar Colony. Mr. Sahil Ahuja, Advocate of R2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

24.11.2025

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1. The present petition has been filed by the petitioner under Section 528 BNSS read with Section 482 Cr.P.C. seeking quashing of FIR No. 0009/2021 under Section 354(D)/506/509IPC registered at PS-Amar Colony, New Delhi with all consequential proceedings emanating therefrom, on the ground that there is a settlement between the petitioner and the husband of deceased complainant.
2. Issue notice. Mr. Ajay Vikram Singh, learned APP for the State accepts notice.
3. The petitioner has joined through VC. Likewise, Mr. Arindam Bhaumik, respondent no.2/husband of complainant has also joined through VC. They have been identified by their respective counsels.
4. The case set out in the present petition is that the petitioner and



respondent no.2 are neighbourer and residing at their respective address for several years. A scuffle took place between the parties on the issue of parking, which led to the registration of aforesaid FIR, wherein allegations of molestation were also alleged.

5. Mr. Moin Alam, learned counsel appearing on behalf of petitioner submits that the present FIR was registered in the year 2019 and during COVID-19, the complainant namely, Rupa Bhaumik passed away. He submits that even the trial has not commenced and the complainant having passed away, this is a fit case for quashing of FIR.

6. He further contends that a settlement has also been arrived between the petitioner and the respondent no.2/husband of complainant.

7. The factum of settlement is also affirmed by the respondent no.2, who has joined through VC. He further states that he has no objection in case the FIR is quashed.

8. Having regard to the aforesaid facts and circumstances, this Court is of the view that no useful purpose will be served in prosecuting the criminal proceedings, rather it would be an exercise in futility.

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. At this stage, learned APP appearing on behalf of State submits that since the FIR is of the year 2019 and lot of time and effort has been spent by the investigating agency, the petitioner may be saddled with some cost.

11. Considering that the State machinery has been put into motion and considerable time and resources of the investigating agency have been spent in the investigation of the matter and further the judicial time has also been wasted, it is deemed appropriate to impose cost of Rs.25,000/- on the petitioner.

12. Consequently, the petition is allowed and the FIR No. 0009/2021 under Section 354(D)/506/509IPC registered at PS-Amar Colony, New Delhi alongwith all other proceedings emanating therefrom, is quashed, subject to the petitioner depositing cost of Rs.25,000/- to “Delhi High Court Staff Welfare Fund”.

13. The petition along with pending application stands disposed of in the above terms.

VIKAS MAHAJAN, J

NOVEMBER 24, 2025/jg