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

+ **CRL.M.C. 9949/2024 & CrI. M.A. 38125/2024**

ANIRAJ YADAV @ ANEERAJ

.....Petitioner

Through: **Mr. Akash Kumar, Advocate with
petitioner in person.**

versus

STATE OF GOVT. OF N.C.T. OF DELHI & ANR.Respondents

Through: **Mr. Utkrash, APP for the State with
SI Satish and SI Kirandeep Kaur, PS
K.M. Pur
Respondent No. 2 in person.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

06.02.2025

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1. The matter is taken up today as 05.02.2025 was declared a holiday on account of General Elections, 2025 in Legislative Assembly of NCT of Delhi.
2. The present petition has been filed under Section 482 Cr. P.C. seeking quashing of FIR No. 312/2018 under Sections 392/411/34 IPC registered at Police Station Kotla Mubarakpur, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
3. Issue notice. Learned APP appearing on behalf of the State accepts notice.
4. The petitioner, as well as, respondent no.2/complainant is present in the Court and they have been identified by the learned counsel for the



petitioner as also by the Investigating Officer/SI Satish and SI Kirandeep Kaur, Police Station Kotla Mubarakpur, New Delhi.

5. The case of the prosecution is that the petitioner had forcibly taken the mobile phone of the respondent no. 2 which led to the registration of the aforesaid FIR. It appears from the memo of parties that the petitioner and respondent no. 2 are residents of the same colony.

6. Learned counsel appearing for the petitioner submits that the petitioner and the respondent no. 2 were known to each other being the residents of the same colony. He further submits that the incident happened in the year 2018 when the present petitioner was only 18 years of age. He further submits that the petitioner does not have any criminal antecedents. He further submits that the respondent no. 2 has been compensated for the loss caused by the petitioner by paying an amount of Rs. 6000/-.

7. The respondent no.2 who is present in court, on query posed by the Court, affirms the fact that petitioner was known to him and now the settlement has already been arrived at between him and the petitioner and he has also been compensated by the petitioner. He further states that he has no objection in case the aforesaid FIR is quashed.

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. 312/2018 under Sections 392/411/34 IPC registered at Police Station Kotla Mubarakpur, New Delhi and all consequential proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 6, 2025

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