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

+ **CRL.M.C. 10076/2024**

JAGMOHAN SINGH & ORS.

.....Petitioners

Through: Mr. Haji Mohd. Iqbal, Mr. Suhail
Malik, Advs.
Petitioners in person.

versus

THE STATE (GOVT. OF NCT DELHI) & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with W/ASI Sunita PS Uttam
Nagar and SI Rashmi PS Dabri
Mr. Mohammad Faizan, Mr. Akshay
Jain, Mr. Shahabuddin Noori, Mr.
Prajwal Chaturvedi and Mr. Firoz
Iqbal Khan, Advs. for R-2
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

17.01.2025

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1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.116/2019 under Sections 354/509/34 IPC registered at Police Station Dabri, (Dwarka District), Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Notice in the petition was issued *vide* order dated 20.12.2024. The learned APP for the State 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 petitioners, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer W/ASI Sunita PS Uttam Nagar and SI Rashmi PS Dabri.

4. The brief facts of the case are that the present FIR was registered at the instance of the respondent no.2 alleging misbehaviour against the present petitioner.

5. During the pendency of the proceedings, the parties were referred to Mediation Centre, Dwarka Courts, New Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 18.04.2023, which is annexed as Annexure P-2 to the present petition.

6. It is recorded in the settlement that after mutual discussion, parties have amicably resolved all their controversies and disputes without any force or coercion.

7. It is a term of the settlement that respondent no.2 shall cooperate with the petitioner in quashing of the aforesaid FIR.

8. 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.

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.116/2019 under Sections 354/509/34 IPC registered at Police Station Dabri, (Dwarka District), Delhi 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 17, 2025

N.S. ASWAL