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

+ CRL.M.C. 10130/2024

AKASH VATS @ ROMY

.....Petitioner

Through: Mr. Gajender Shrma and Mr.
Tapeshwar Vats, Advocates with
petitioner in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.....Respondents

Through: Mr. Manoj Pant, APP for the State
with SI Gajender, PS Tilak Nagar
Mr. Vipin Choudhary and Ms. Palak
Munjal, Advocates for R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.02.2025

1. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.1259/2014 under Sections 435/354A/506 IPC registered at Police Station Tilak Nagar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was already issued *vide* order dated 24.12.2024.
3. The petitioner, as well as, respondent no.2/complainant are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer/SI Gajender, Police Station Tilak Nagar, New Delhi.
4. The case of the prosecution is that the petitioner who was known to the daughter of the complainant had extended threats and had also caused damage



to their property which led to the registration of the aforesaid FIR.

5. During the pendency of proceedings, the parties have arrived at a settlement. In terms of the settlement, the petitioner had agreed to compensate the respondent no. 2 by paying an amount of Rs. 50,000/-. However, on objections being raised by the learned APP appearing for the State, the petitioner has agreed to pay a further amount of Rs. 50,000/-.

6. The petitioner has handed over a Demand Draft bearing No. 007528 dated 31.01.2025 for a sum of Rs. 50,000/- issued in favour of Gurpreet Kaur drawn on Axis Bank today in Court. The same is accepted by the respondent no. 2.

7. The respondent no.2 who is present in court, on query posed by the Court, affirms the factum of settlement and acknowledges having received the entire settlement amount of Rs.1,00,000/- as compensation and further states that she has no objections in case the aforesaid FIR is quashed.

8. In this regard, reference may advantageously be made to a decision of Co-ordinate bench of this Court in **Jagdish Khatri vs. State of NCT of Delhi and Anr.**¹ wherein it was held as under:

4. The inherent power under Section 482 Cr. P.C. is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guidance engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In the case of Gian Singh v. State of Punjab (2012) 10 SCC 303, the Supreme Court has observed that in the exercise of its inherent power under Section 482, the High Court can quash FIR/Charge-sheet on the basis of alleged settlement except in cases of rape, murder, dacoity or the cases under the Special Statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc.

¹ 2023 SCC OnLine Del 1336.



It is a settled proposition of law that High Courts should exercise the power under Section 482 Cr. P.C. for quashing of criminal cases having overwhelmingly and predominantly civil flavour.

5. It has also been repeatedly held that the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. Reliance can be placed upon Madhavrao Jiwajirao Scindia v. Sambhajirao Chandrojiroo Angre, (1988) 1 SCC 692.

6. Respondent no. 2 is present in court and has duly been identified by the IO. She states that she has entered into the settlement voluntarily and she has no objection if the FIR is quashed. Affidavit of Respondent no. 2 has also been placed on record.

7. In view of the above, it appears that he is not going to support the case of the prosecution and the possibility of conviction is remote and bleak. In view of the matter, the continuation of the criminal proceedings would be an exercise in futility and it is an abuse of the process of the court. There would no purpose in continuing with the present proceedings and accordingly, the FIR No. 157/2017 under Sections 354 IPC registered at Police Station Sangam Vihar and all the other proceedings emanating therefrom are quashed.

8. The present petition stands disposed of.

(emphasis supplied)

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.1259/2014 under Sections 435/354A/506 IPC registered at Police Station Tilak Nagar, Delhi and all consequential proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 4, 2025

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