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

+ **CRL.M.C. 10151/2024**

MAAN SINGH

.....Petitioner

Through: **Mr. Prafulla, Advocate**

versus

**STATE (NCT OF DELHI) THROUGH SHO,
PS RAJINDER NAGAR & ANR.**

.....Respondents

Through: **Mr. Nawal Kishore Jha, APP for the
State with SI Jyoti, PS Rajinder Nagar
Mr. Kuldeep Singh, Singh, Advocate
for R-2 with 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. 216/2024 under Section 79 BNS registered at Police Station Rajinder Nagar, Central Delhi along with all other proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Issue notice. Learned APP appearing on behalf of the State accepts notice. Learned counsel appearing for the respondent no. 2 also accepts notice. Learned APP appearing for the State submits that State has no objection in case the aforesaid FIR is quashed.

3. The petitioner and the respondent no. 2 (complainant) are present in Court and they have been identified by the I.O/ SI Jyoti, Police Station Rajinder Nagar, Central Delhi, Delhi.



4. The case of the prosecution is that the petitioner and his wife had a quarrel with the husband of the respondent no. 2 over the issue of dog and there was also exchange of verbal abuses which led to the registration of the aforesaid FIR.

5. During the pendency of the proceedings, the parties have arrived at a settlement, the terms whereof have been reduced into writing the in form of a Settlement Deed dated 17.12.2024, a copy of which is annexed as Annexure-P2 to the present petition.

6. It is recorded in the Settlement Deed that the parties have voluntarily agreed without any undue influence, coercion or misrepresentation to resolve all their disputes so as to maintain peace and harmony. It is also the term of the settlement that the parties shall jointly file appropriate petition for quashing of the present FIR.

7. Respondent no. 2 who is present in Court, on a query posed by the Court, affirms the factum of settlement and states that she 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. 216/2024 under Sections 79 BNSS registered at Police Station Rajinder Nagar, Central Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

JANUARY 17, 2025
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