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

+ CRL.M.C. 10164/2024

BHOLA RAM & ORS.

.....Petitioners

Through: Mr. Shubham Choudhary and Mr.
Udesh Puri, Advocates with petitioner
in person.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Utkrash, APP for the State with
SI Bharat Singh, PS Uttam Nagar
Respondent nos. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

30.01.2025

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1. The present petition has been filed under Section 482 CrPC read with Section 528 BNSS, 2023 seeking quashing of FIR No. 905/2021 under Sections 420/468 IPC registered at Police Station Uttam Nagar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice.
3. The petitioners, as well as, respondent no. 2 & 3 (complainants) are present in the Court and they have been identified by Investigating Officer SI Bharat Singh, PS Uttam Nagar.
4. The case of the prosecution is that the ancestral property was sold by the petitioner no. 1 to the exclusion of respondent nos. 2 and 3, who are his real sisters. This led to the registration of the aforesaid FIR at the instance of



respondent no. 2.

5. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding/Settlement Deed dated 18.01.2025, copy of which is annexed to the present petition.

6. The petitioner has also placed on record earlier settlement dated 09.05.2022. As per the settlement, the petitioner has paid an amount of Rs. 4 lakhs each to respondent nos. 2 and 3.

7. The respondent nos.2 and 3, who are present in Court, on a query posed by the Court, confirms the factum of settlement and acknowledges having received the entire settlement amount i.e. Rs. 4 lakhs each and states that they are not interested in prosecuting the present case. They further submit that they have no objection in case the 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. 905/2021 under Sections 420/468 IPC registered at Police Station Uttam Nagar, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

13. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 30, 2025

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