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

+ **CRL.M.C. 8689/2025**

ALTAF HASAN & ORS.

.....Petitioners

Through: Mr. Sagar Tanwar and Ms. Shalu Yadav, Advs. with petitioners in person.

versus

THE STATE NCT OF DELHI ANE ANRRespondents

Through: Ms. Richa Dhawan, APP for State with SI Ankita Singh PS Safdarjung Enclave.

Ms. Nidhi Lakra, Ms. Prachi Verma, Ms. Simran Singh, Mr. Nirदेश Bidhuri and Ms. Komal Kohli, Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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05.12.2025

CRL.M.A. 36276/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 8689/2025

3. The present petition has been filed under Section 528 of BNSS seeking quashing of FIR No. 130/2019 under Sections 354/508/323/34 IPC registered at P.S. Safdarjung Enclave and all other consequential proceedings emanating therefrom on the ground of settlement.



4. The petitioners, as well as, respondent no.2 are present in Court and they have been identified by their respective counsels, as well as, by the Investigating Officer SI Ankita Singh PS Safdarjung Enclave.
5. The case of the prosecution is that respondent no.2 works as guard in Trauma Centre, AIIMS and the petitioners were trying to forcefully enter the ward in which their patient was admitted and when they were stopped by respondent no.2, petitioners abused the respondent no.2 and misbehaved with her, which led to the registration of present FIR at the instance of respondent no.2.
6. During pendency of the proceedings the parties have arrived at a settlement, terms whereof were reduced in writing in the form of memorandum of understanding dated 09.06.2025, copy of which is annexed as Annexure-P-3 to the present petition.
7. It is a term of the settlement that the parties have amicably arrived at settlement without any, coercion, undue influence, pressure or threat.
8. It is also a term of settlement that the parties will not to file or initiate any further civil or criminal proceedings against each other in relation to the incident that gave rise to the above FIR.
9. On a query posed by the Court, respondent no.2 affirms the factum of settlement arrived with the petitioners and states that she has no objection in case the aforesaid FIR is quashed.
10. 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.”

11. In view of the aforementioned 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.
12. It is, thus, in the interest of justice that the present FIR and all other consequential proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No. 130/2019 under Sections 354/508/323/34 IPC registered at P.S. Safdarjung Enclave alongwith all other proceedings emanating therefrom, is quashed.
14. The petition alongwith pending application stands disposed of in the above terms.
15. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 5, 2025

N.S. ASWAL