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

+ **CRL.M.C. 2/2025**

TANYA SOOD

.....Petitioner

Through: Mr. Vishal Gosain and Ms. Ajuneer Singh, Advs. along with petitioner.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Nawal Kishore Jha, APP with ACP Virender Jain, P.S. Tughlak Road, New Delhi.
Mr. Gagan Jyot Singh, Adv. for R-2 along with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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07.01.2025

CRL.M.A. 23/2025 (exemption)

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

CRL.M.C. 2/2025

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.106/2024 under Section 3(1)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at P.S. Tughlak Road, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. Mr. Nawal Kishore Jha, learned APP appearing on



behalf of the State, as well as, Mr. Gagan Jyot Singh, learned counsel appearing on behalf of the respondent no.2, accepts notice. They submit that since the parties have arrived at a settlement, they have no objection in case the FIR in question is quashed.

5. The parties are present in Court and they have been identified by their respective counsel, as well as, by the I.O/ACP Virender Jain, PS. Tughlak Road, New Delhi.

6. The complainant/respondent no.2 is an employee of the husband of the present petitioner with whom she has estranged relationship. On the basis of the complaint of the respondent no.2 alleging that caste related remarks have been made by the petitioner against her, the present FIR came to be registered.

7. 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 dated 03.12.2024 [MoU], a copy of which has been annexed as Annexure B to the present petition.

8. It is recorded in the settlement that parties have mutually and amicably resolved their disputes. It is also mentioned in the settlement that the respondent no.2 shall cooperate with the petitioner in quashing of the aforesaid FIR.

9. The 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 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 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 the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.106/2024 under Section 3(1)(r) of the Schedules Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at P.S. Tughlak Road, New Delhi and all consequential proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 7, 2025

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