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

+ **W.P.(CRL) 4091/2025**

RAHBAR KHAN & ANR.

.....Petitioners

Through:

Ms. Aastha Gupta, Ms. Arzoo Khan,
Ms. Sapna, Mr. Momin Fazal, Mr.
A.F. Faizi, Ms. Aastha Gupta, Ms.
Anvita Aggarwal Mr. Rehan Ahmad
Khan, Mr. Waseem Ahmad, and Mr.
Keshav Advs.

Mr. Amit Singh, Adv. for P-2.

Petitioners in person.

versus

STATE (GOVT. NCT OF DELHI) & ANR.

.....Respondents

Through:

Mr. Yasir Rauf Ansari, ASC for State
with Mr. Alok Sharma, Adv. with SI
Amit Kumar and HC Sona Ram PS
Moti Nagar.

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

12.12.2025

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CRL.M.A. 36854/2025 (exemption)

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

W.P.(CRL) 4091/2025

3. The present petition has been filed under Section 528 of BNSS seeking quashing of FIR No. 028988/2025 under Section 305(b) of BNS, registered at e-P.S. Moti Nagar and all other consequential proceedings



emanating therefrom, on the ground that the parties have arrived at a settlement.

4. The petitioners, as well as, respondent no.2 are present in the Court and they have been identified by Ms. Aastha Gupta, learned counsel for the petitioner, as well as, by the Investigating Officer SI Amit Kumar and HC Sona Ram PS Moti Nagar.

5. The case in brief is that petitioners and respondent no.2 were jointly running a business in partnership under the name of M/s R.D. Motors, which was dealing in sale and purchase of vehicles. The petitioners, as well as, respondent no.2 jointly purchased Honda City car, however, a monetary dispute arose with respect to the said partnership and the petitioners without prior permission of respondent no.2 took the said vehicle in their possession, which led to the filing of complaint by respondent no.2. The said complaint culminated into aforesaid FIR.

6. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof have reduced in writing in the form of memorandum of understanding dated 05.12.2025, copy of which has been annexed as Annexure –P3.

7. It is a term of the settlement that the petitioners shall pay full and final settlement amount of Rs. 5.50 Lakhs to the respondent no.2, which amount is stated to have been paid.

8. On a query posed by the Court, the respondent no.2 affirms the factum of settlement and acknowledges the receipt of the full and final settlement amount of Rs. 5.50 Lakhs. He further states that he has no objection in case the aforesaid FIR is quashed.

9. 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.”

10. 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.

11. It is, thus, in the interest of justice that the present FIR and all other consequential proceedings emanating therefrom be quashed.

12. Consequently, the petition is allowed and the FIR No. 028988/2025 under Section 305(b) of BNS, registered at P.S. Moti Nagar alongwith all other proceedings emanating therefrom, is quashed.

13. The petition alongwith pending application stands disposed of in the above terms.

14. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 12, 2025

N.S. ASWAL