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

+ CRL.M.C. 9238/2025

PARVEEN JAIN & ORS.

.....Petitioners

Through: Mr. Mohammad Haroon, Adv. with
petitioners in person.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Rajesh Kumar PS Vijay Vihar.
Mr. Amit Kumar, Adv. for R-2 with
R-2 (through VC).

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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23.12.2025

CRL.M.A. 38586/2025 (delay of 19 days in re-filing the petition)

1. The present application has been filed seeking condonation of delay of 19 days in re-filing the petition.
2. For the reasons mentioned in the application, the delay of 19 days in re-filing the petition is condoned.
3. The application stands disposed of.

CRL.M.A. 38585/2025 (exemption)

4. Allowed, subject to all just exceptions.
5. Application stands disposed of.

CRL.M.C. 9238/2025

6. The present petition has been filed under Section 528 BNSS, 2023



seeking quashing of the FIR No. 228/2010 under Sections 452/427/354/323/506/34 IPC registered at P.S. Vijay Vihar, Distt. North, New Delhi and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.

7. Issue notice. Ms. Kiran Bairwa, the learned APP for the State accepts notice.

8. The petitioners are present in Court whereas the respondent no.2 has joined through VC and they have been identified by their respective counsel, as well as, by investigating officer SI Rajesh Kumar PS Vijay Vihar.

9. The learned APP for the State points out that in the FIR, four persons were arraigned as an accused, however, the present petition has been filed only on behalf of three petitioners. She submits that the fourth accused namely, Om Prakash Jain passed away during the pendency of the proceedings.

10. The case of the prosecution is that the petitioners, as well as, the respondent no.2 were neighbours and a dispute arose between the parties which escalated to a fight in which the respondent no.2 is stated to have suffered simple injury. Accordingly, the present FIR came to be registered.

11. Mr. Mohammad Haroon, the learned counsel appearing on behalf of petitioner submits that though the charge has been framed but till date not a single witness on behalf of the prosecution has been examined, which position is also affirmed by the learned APP, on instructions from the IO, who is present in Court.

12. It is also jointly stated by the learned counsel appearing on behalf of the parties that both parties have shifted from their respective residences and are no more neighbours.



13. During pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of compromise deed/M.O.U. dated 27.09.2025 which is annexed as Annexure P-3 to the present petition.

14. The respondent no.2, who has joined through VC, on being queried by the Court, affirms the factum of settlement and states that she does not wish to prosecute the criminal proceedings. She further states that she does not have any objection in case the FIR is quashed.

15. 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.”

16. 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.

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

18. Consequently, the petition is allowed and the FIR No. 228/2010 under Sections 452/427/354/323/506/34 IPC registered at P.S. Vijay Vihar, Distt. North, New Delhi alongwith all other proceedings emanating therefrom, is



quashed.

19. The petition stands disposed of in the above terms.
20. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 23, 2025
N.S ASWAL