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

+ (1) **CRL.M.C. 3041/2013 & CrI.M.A.11423/13**

MANOJ SHARMA & ANR. Petitioners

Through: Mr. B.K. Mishra, Advocate

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr. Mukesh Gupta,
Additional Public Prosecutor for
respondent-State with SI S.S. Ram

+ (2) **CRL.M.C. 3042/2013 & CrI.M.A.11424/13**

MANOJ SHARMA & ANR. Petitioners

Through: Mr. B.K. Mishra, Advocate

versus

STATE GOVT. OF NC TOF DELHI & ANR. Respondents

Through: Mr. Mukesh Gupta,
Additional Public Prosecutor for
respondent-State with SI S.S. Ram

+ (3) **CRL.M.C. 3050/2013 & CrI.M.A.11443/13**

MANOJ SHARMA & ANR. Petitioners

Through: Mr. B.K. Mishra, Advocate

versus

STATE GOVT. OF NC TOF DELHI & ANR. Respondents

Through: Mr. Mukesh Gupta,
Additional Public Prosecutor for
respondent-State with SI S.S. Ram

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

CrI.M.C.s. No.3041; 3042 & 3050 of 2013

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Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

ORDER
31.07.2013

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The substance of allegations made in FIR Nos.59; 60 and 61 of 2012 under Sections 420/406/120B/34 of *IPC* registered at P.S. Economic Offences Wing, Delhi relates to investment made by the complainants/first-informant of the FIRs in question in some money multiplying scheme.

Quashing of the aforesaid three FIRs is sought in the above-captioned three petitions on identical grounds and so these petitions were heard together and are being disposed of by this common order.

On the strength of compromise deed of 8th July, 2013, quashing of the aforesaid three FIRs is sought.

Notice.

Mr. Mukesh Gupta, Additional Public Prosecutor, accepts notice on behalf of Respondent-State. Respondents-*Ms. Shoba, Mr. Ravi Karan Veshnay and Mr. Shree Ram Sharma* accept notice of the above-captioned three petitions as they are arrayed as second respondent in these petitions.

Afore-named respondents i.e. *Ms. Shoba, Mr. Ravi Karan Veshnay and Mr. Shree Ram Sharma* have been identified to be the first-informant of the respective FIRs in question by SI S.S. Ram on the basis of identity proof furnished by them.

Respondents-*Ms. Shoba, Mr. Ravi Karan Veshnay and Mr. Shree Ram Sharma* affirm the contents of their affidavits filed in support of these three petitions and submit that the dispute, which is the subject

matter of these FIRs in question stands mutually and amicably resolved with petitioners and so, proceedings arising out of these FIRs be brought to an end against petitioners only.

In '*Gian Singh Vs. State of Punjab*' (2012) 10 SCC 303 Apex Court has recognized the need of amicable resolution of disputes in cases like the instant one, by observing as under:-

"However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated."

Since the dispute, which is the subject matter of FIRs in question is essentially of commercial nature, which stands mutually and amicably settled between the parties, therefore, this Court finds that continuance of the proceedings arising out of these FIRs in question would be an exercise in futility. Consequently, this petition is allowed and FIR Nos.59; 60 and 61 of 2012 under Sections 420/406/120B/34 of IPC registered at P.S. Economic Offences Wing, Delhi and proceedings

emanating therefrom are quashed *qua* petitioners only subject to a consolidated cost of ₹50,000/- to be deposited by petitioners with *Prime Minister's Relief Fund* within a week from today.

These three petitions and the applications are accordingly disposed of.

Dasti.


(SUNIL GAUR)
Judge

JULY 31, 2013

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