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

CNR No. DLHC010324572022

+ **CRL.M.C. 4127/2022, CRL.M.A. 17046/2022**

SUMIT CHAMOLI AND OTHERS

.....Petitioners

Through: Mohd. Anis, Adv. alongwith
petitioners

versus

STATE GNCT DELHI AND ANR.

.....Respondents

Through: Mr. Satish Kumar, APP
SI- Dinesh Kumar, PS: Kashmere
Gate
Respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

01.09.2026

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1. By virtue of the present petition under *Section 482* of the Code of Criminal Procedure, 1973 (**CrPC**), the petitioners seek quashing of FIR No.138/2013 dated 12.06.2013 registered at PS.: Kashmere Gate under *Sections 420/356/379/411/34/120* of the Indian Penal Code, 1860 (**IPC**) and all proceedings emanating therefrom as the petitioners and respondent no.2 have mutually settled all their disputes *vide* Mediation Settlement dated 13.11.2019 before Delhi Mediation Centre, Tis Hazari Courts, Delhi.

2. At the outset, learned APP for the State submits that the petitioners herein are habitual offenders as they have multiple FIRs registered against



them. He thus submits that the present petition is liable to be dismissed.

3. This Court has further had the occasion of interacting with the petitioners as well as the respondent no.2, who all are present in Court. Although learned APP has objected to the quashing of the present FIR since the petitioners herein are habitual offenders, however, considering a settlement based on mutual consent (Mediation Settlement dated 13.11.2019) has been arrived between the petitioners and respondent no.2 by virtue whereof the petitioners have already paid the respondent no.2 a total sum of Rs.4,00,000/- as full and final settlement of all his present, past and future claims and as such, the parties have agreed to put a quietus to their disputes. It is in view thereof, the respondent no.2 submits that he does not wish to continue with the aforesaid FIR against the petitioners.

4. The petitioners and the respondent no.2, present in Court, as well as their credentials, as on record, have been duly identified by the IO.

5. As noted above, although objections have been taken by the learned APP, however, since the petitioners have not been involved in any FIR in the last more than *ten years* as also considering that a settlement based on mutual terms between the petitioners and the respondent no.2 is the basis of filing the present petition, which is accompanied by their respective affidavit(s) *qua* the said effect. In view thereof, adopting the reformatory and humanitarian approach the present is a fit case for quashing the aforesaid FIR. Accordingly, as also following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuwanshi & Ors. vs. Babita Raguvanshi & Anr.: (2013) 4 SCC 58***, ***Gian Singh vs. State of Punjab & Anr.: (2012) 10 SCC 303*** and ***Narinder Singh & Ors. vs. State of Punjab & Anr.: (2014) 6 SCC 466***, and also since there is nothing left to



corroborate and prove the case of the prosecution, continuation of the present FIR will be an exercise in futility.

6. Accordingly, the present petition is allowed and FIR No.138/2013 dated 12.06.2013 registered at PS.: Kashmere Gate under *Sections 420/356/379/411/34/120* of the IPC and all proceedings emanating therefrom are hereby quashed.

7. At this stage, as a gesture of goodwill the petitioners are willing to pay an additional amount of Rs.50,000/- which shall be deposited in Delhi High Court Bar Association Lawyers Social Security and Welfare Fund [A/C 155530100009730; IFSC UCBA0001553] within a period of *two weeks*.

8. This Court appreciates the gesture shown by the petitioners.

9. As such, the present petition, alongwith the pending application, is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

SEPTEMBER 1, 2026/Ab