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

Date of Decision: February 12, 2015

+ **CRL.M.C. 2756/2014**

GOVIND BANSAL & ANR Petitioners
Through: Mr. Vijender Bhushan and Mr.
Brijesh Panchal, Advocates

versus

STATE & ORS Respondents
Through: Mr. Naveen Sharma, Additional
Public Prosecutor for respondent-
State with SI Pradeep Kumar

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Quashing of FIR No.796/2002 under Sections 384/120-B of IPC registered at P.S. Saraswati Vihar, Delhi is sought on the basis of *Compromise Deed* of 28th May, 2014 (*Annexure-D*).

Upon notice, learned Additional Public Prosecutor for respondent-State has filed a status report and had submitted that petitioners are habitual offenders as they were found to be involved in similar offences earlier also and the facts of this case are such which do not call for quashing of the FIR in question.

Upon hearing and on perusal of the FIR of this case, the status report filed and the material on record, I find that petitioners are of

depraved character and in a very obnoxious manner they have attempted to extort a sum of ₹50 lac from respondent-complainant.

Apex Court in '*Gian Singh Vs. State of Punjab & Anr.*' (2012) 10 SCC 303, has reiterated that that in serious offence FIRs are not to be quashed. The relevant observations are as under: -

“58. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all.”

The manner in which the offence in question has been committed, dissuades this Court from exercising its inherent jurisdiction under Section 482 of Cr.P.C.. Consequentially, this petition is dismissed while not commenting upon merits of this case lest it may prejudice petitioners before trial court.

**(SUNIL GAUR)
JUDGE**

FEBRUARY 12, 2015

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