

\$~9

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

+ CRL.M.C. 373/2012 & CrI. M.A. Nos.10230-31/2017, 8144/2016
(additional grounds for quashing FIR)

CUPID LIMITED & ANR

..... Petitioners

Through: Mr. R.N.Mittal, Sr. Advocate with
Mr. Amitej Kr. Nagar, Advocate.

versus

STATE & ANR

..... Respondents

Through: Mr. Amit Jain & Mr. Niraj Misra,
Advocates for R-2.
SI Jitender Singh from EOW, Delhi.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

10.07.2017

The petitioners have filed the present petition seeking quashing of FIR No. 191/2008, U/s 103/104 of the Trade Mark Act & Section 63 of the Copyright Act & Section 192/193/471 of IPC, Police Station-Economic Offences Wing, District Crime & Railway. The respondents No.2 is present in Court.

Learned counsel for the parties submit that the parties have arrived at a settlement/compromise out of their own free will and choice without any threat, pressure and coercion and the petitioners do not wish to proceed further with the matter.

Learned counsel for parties further submits that the parties have arrived at a settlement vide a Settlement Agreement dated 22.02.2016 which has been placed on record. The petitioners state that they have not been subjected to any pressure or coercion and that they have entered the settlement out of their own free will. The petitioners further state that they join the prayer for quashing of the FIR in question.

Separate statement of the petitioner and respondent Nos. 2 & 3 recorded separately.

Learned Senior Counsel appearing for the petitioners submits that the High Court has ample power under Section 482 Cr.P.C to quash the criminal proceedings. He further submits that the settlement in the offences which are not compoundable, the High Court can quash such criminal proceedings to put an end to those disputes. To substantiate his arguments, learned Senior Counsel has relied upon judgment ***Gian Singh v. State of Punjab & Anr., (2012) 10 SCC 303***

Learned Senior Counsel further submits that if the parties in non-compoundable cases arrived at a settlement/compromise, the High Court can quash the proceedings in exercise of its inherent power under Section 482 Cr.P.C and reliance has been placed on judgment ***GE Motors India Ltd. & Ors. V. Sate, 99 (2002) Delhi Law Times, 677*** and also relied the case of ***M/s P.G. International & Ors. V. State of Delhi (NCT of Delhi) & Anr. bearing Crl. M. C. No.68/2016 dated 08.01.2016*** passed by High Court of Delhi.

Accordingly, no useful purpose would be served in proceeding further with the aforesaid FIR in question and the proceedings emanating therefrom. The said FIR and the proceedings arising therefrom are quashed.

The pending applications stand disposed of.

SANGITA DHINGRA SEHGAL, J

JULY 10, 2017/ssc