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

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Judgment delivered on: 06.09.2018

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CRL.M.C. 4517/2018

PRADEEP GUPTA & ANR

..... Petitioners

versus

THE STATE & ANR

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner :

Mr. Piyush Gupta with Mr. Amit  
Sharma, Advocates.

For the Respondents:

Mr. Kamal Kumar Ghai, APP for the  
State.  
Mr. Sumit Choudhary with Mr.  
Kanwar Kochhar and Ms. Aakanksha  
Bansal, Advocates for the  
complainant with complainant in person.  
SI Kuldeep Singh, PS Model Town.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**06.09.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

**Crl.M.A.31499/2018 (exemption)**

Exemption is allowed subject to all just exceptions.

**CRL.M.C. 4517/2018**

1. The petitioners seek quashing of FIR No.238/2017 under

Section 406 IPC, Police Station Model Town, based on a settlement.

2. The subject FIR has been registered consequent to a business transaction between the complainant and the petitioners, wherein, it is contended that a sum of Rs.1.5 crores was given to the petitioners as a loan for importing iron ore. Subsequently, the parties fell out and the disputes commenced.

3. Learned counsel for the parties submit that the parties have settled their disputes through the process of mediation held before Delhi High Court Mediation & Conciliation Centre and a settlement agreement dated 29.08.2018 has been entered into.

4. Learned counsel for the parties submit that not only the subject dispute, the disputes, which were the subject matter of a civil suit filed by the respondent No.2, have also been settled through the said agreement dated 29.08.2018.

5. As per the settlement, the petitioners have agreed to pay a total sum of Rs.90 lakhs to the respondent No.2/complainant.

6. The respondent No.2 is present in person, represented by a counsel and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioners and has received the said settlement amount of Rs.90 lakhs. He further submits that he does not wish to press the complaint against the petitioners any further and has no objection in case the subject FIR is quashed.

7. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, 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. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

8. In view of the above, the petition is allowed. FIR No.238/2017 under Section 406 IPC, Police Station Model Town, based on a settlement and the consequent proceedings emanating there from are quashed.

9. Order *Dasti* under the signatures of the Court Master.

**SEPTEMBER 06, 2018**  
**st**

**SANJEEV SACHDEVA, J**