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

+ W.P.(CRL) 113/2023

ANOOP AND ORS

.....Petitioners

Through: Mr. Amardeep Inder, Advocate.

versus

THE STATE AND ANR

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC, Crl. with
Ms. Spriha Bhandari, Ms. Charu
Sharma, Mr. Arjit Sharma & Mr.
Vaibhav Vats, Advocates for State.
Mr. Sumit Gaur, Mr. Sanjiv
Chabhara, Mr. Hemant Mudgil, Mr.
Kumud Nijhawan & Mr. R. Ashok,
Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.07.2024

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1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioners seeking to quash the FIR No. 0730/2021 dated 26.11.2021 registered under Sections 419/420/467/468/471 of Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Kanjhawala, Delhi which is pending in the Court of learned Metropolitan Magistrate.

2. It is submitted in the petition that the FIR had been registered against the petitioners in which the chargesheet has been submitted on 25.07.2022. The bail was granted to the petitioners by the learned Additional Sessions Judge *vide* Order dated 30.07.2022.

3. It is further submitted that there was a settlement between the petitioner Nos. 1 to 6 and the respondent No. 2, pursuant to which, the



counsel for the petitioners handed over a Demand Draft of Rs. 27,70,000/- to the respondent No. 2 which has been duly encashed by the respondent No. 2. It was further agreed that the respondent No. 2 would get released on bail on balance amount of Rs. 1,80,000/- from the Malkhana of Police Station Kanjhawala and he had no objection if the petitioners were released on bail, after which the petitioners were admitted to regular bail by the learned Additional Sessions Judge.

4. It is submitted that in view of the settlement, the present petition has been filed for quashing of FIR No. 0730/2021.

5. Learned counsel for the respondent No. 2 has submitted that there was no settlement of the entire dispute *inter se* the parties. The respondent No. 2 had accepted the money only for not objecting to the grant of regular bail.

6. He further submits that there is no settlement between the parties and the case is to be tried on merits before the concerned Court.

7. In view of the submissions made and also considering that in the Bail Order dated 30.07.2022, wherein it is nowhere recorded that the parties had agreed for quashing of the FIR.

8. Therefore, it cannot be said that the matter stands settled in its entirety.

9. In view of above, there is no merit in the present petition to quash the FIR No. 0730/2021 which is hereby dismissed.

NEENA BANSAL KRISHNA, J

JULY 24, 2024

S.Sharma