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

+ **CRL.M.C. 461/2024 & CRL.M.A. 1803/2024**

AMIT KUMAR SRIVASTAVA

..... Petitioner

Through: Petitioner with his counsel Ms. Sonia Mathur, Sr. Advocate with Mr. Maneesh Dubey, Ms. Shubhi Bhardwaj, Ms. Ronika Tater, Ms. Rupakshi Soni and Mr. Mohit Chandra Jaiswal and Mr. Divik Mathur, Advs.

versus

GOVT OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Manoj Pant, APP for the State with Mr. Saurabh Das, Mr. Paramveer, Mr. Lalit Kumar and Mr. Ashok Kumar Shukla, Advocates along with Inspector Mukesh Kumar, P.S. Bara Khamba Road.

Mr. Vivek Joshi, A.R. of R-2 in person with Mr. Madhav Khurana and Ms. Shaurya Singh, Advs for the Complainant/ R2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

02.05.2024

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner praying for quashing of FIR No. 48 dated 27.03.2010 registered at Police Station Barakhamba Road, New Delhi for offences punishable under Sections 420/408/120-B of the



Indian Penal Code.

2. Notice. Mr. Manoj Pant, learned APP accepts notice on behalf of the State.
3. Petitioner is present before this Court and has been identified by his counsel Mr. Maneesh Dubey and Investigating Officer (IO) Inspector Mukesh Kumar from Police Station Bara Khamba Road, New Delhi.
4. The FIR pertains to the year 2010. Charges are yet to be framed in this case. It is stated that the petitioner herein was an employee of the respondent No. 2 company and since the petitioner is compensating and returning the amount involved in this case, Mr. Vivek Joshi, A.R. of respondent No. 2 present in Court submits that he does not wish to proceed further against the petitioner. He also submits that the company/respondent No.2 has received the settlement amount of Rs. 18,00,000/- vide DD No.59584 dated 25.04.2024 drawn on Axis Bank, Palam Branch, Delhi from the petitioner in full and final settlement of all the claims of respondent No. 2 company.
5. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.
6. Having considered the facts and circumstances of the case as well as the allegations levelled against the present accused and also the time which



was consumed by the Court and the investigating agency, this Court is inclined to quash the present FIR. However, this will be subject to payment of costs of Rs.20,000/- on the petitioner which shall be deposited in Delhi High Court Advocates' Welfare Fund Accounts within 10 days from passing of this order.

7. Accordingly, FIR No. 48 dated 27.03.2010 under Sections 420/408/120-B IPC registered at Police Station Barakhamba Road, New Delhi and all proceedings emanating therefrom are quashed.

8. Petition stands disposed of.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 2, 2024/A

Click here to check corrigendum, if any