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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 868/2024

POONAM SHOKEEN & ANR.

..... Petitioners

Through: Mr. Gurman Chahal and Mr. Man
Mohan Yadav, Advs.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Raj Kumar, APP For State with
SI Rashmi Dhariwal PS. Dwarka
North with SI Dharmavir (main I.O),
PS. Crime Branch.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

15.04.2024

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CRL.M.A. 3476-77/2024 (exemptions)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 868/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.136/2014 under Sections 420/34 IPC and Section 4 of Prize Chit and Money Circulation Schemes (Banning) Act, 1978 registered at Police Station Dwarka North and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a fraud and cheating and the parties have arrived at a settlement, the State has no objection in case the FIR in question



is quashed.

5. The petitioner nos.1 and 2 are present in the Court whereas the respondent no.2 has joined through VC and they have been identified by their respective counsel and by the Investigating Officer SI Rashmi Dhariwal PS. Dwarka North with SI Dharmavir (main I.O), PS. Crime Branch.

6. The brief facts of the case are that on 01.03.2014, Jyoti Ahlawat filed a complaint regarding cheating by Ms. Poonam Shokeen and her husband wherein she alleged that both the petitioners herein were running various committees on a monthly payment basis. The respondent no.2 became a member of her committee as per rules and schedules, she paid monthly instalment to them till March 2013. Further, she was supposed to get the matured amount of Rs. 6 lacs in April. Both the petitioners herein kept on assuring the respondent no.2 for the repayment of the amount till November 2013, but in November 2013, the petitioner no.1 got arrested and was sent to jail, so they requested for one more month to pay the amount but they failed, thereafter, they were untraceable. This led to the registration of present FIR on the basis of complaint of respondent no. 2.

7. During the pendency of the proceedings, the parties were referred to Mediation Centre, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 07.01.2017, which is annexed as Annexure P-3 to the present petition.

8. It is a term of the settlement between the parties that the petitioner nos.1 and 2 shall pay a total sum of Rs.3 lacs to the respondent no.2 towards full and final settlement of all her claims. The entire settlement amount has been paid by the petitioner nos.1 and 2 to the respondent no.2 in the manner



as stated in the settlement.

9. The receipt of entire amount of Rs.3 lacs is acknowledged by the respondent no.2, who has joined through VC.

10. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

11. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No.136/2014 under Sections 420/34 IPC and Section 4 of Prize Chit and Money Circulation Schemes (Banning) Act, 1978 registered at Police Station Dwarka North alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

APRIL 15, 2024/dss