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

+ **CRL.M.C. 886/2024**

SANJEEV KUMAR

..... Petitioner

Through: Mr. Vishal, Adv.
versus

THE STATE & ANR.

..... Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Sachin Kumar PS
Alipur
Mr. Rahul Chauhan, Mr. Balvinder
Singh, Mr. Himanshu Goel, Mr.
Sanjay Kaushik, Advs. for
respondent.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
05.03.2024

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CRL.M.A. 3557/2024 (exemption)

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

CRL.M.C. 886/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.309/2018 under Sections 420/406/506 IPC registered at Police Station Alipur 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 parties have arrived at a settlement, the State has no objection



in case the FIR in question is quashed.

5. The petitioner, as well as, respondent no. 2 are present in the Court and they have been identified by their respective counsel and by the Investigating Officer with SI Sachin Kumar PS Alipur.

6. The case of the prosecution in brief is that some financial dispute took place between the respondent no. 2 / complainant and the petitioner in respect of a property i.e. Flat at 1st Floor, Kh. No. 8/2, Village Singhu, Tower No. 3, Tripathi residencey GTK Road, Singhu Border, Delhi (hereinafter referred to as the “said property”) which led to the registration of the aforesaid FIR at the instance of respondent no. 2.

7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement / compromise deed dated 21.09.2022, which is annexed as Annexure B to the present petition.

8. It is recorded in the settlement that the respondent no. 2 shall remain the exclusive owner of the aforesaid property and the petitioner shall not claim any right or interest in the said property.

9. It is also a term of the settlement that the respondent no. 2 shall cooperate with the petitioner for quashing of the aforesaid FIR.

10. The learned counsel appearing on behalf of the respondent submits that the titled documents of the aforesaid property were seized by the IO during the course of the investigation and since the matter has been settled, the said documents may be returned back to the respondent no. 2.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.309/2018 under Sections 420/406/506 IPC registered at Police Station Alipur alongwith all other proceedings emanating therefrom, is quashed.

15. Since the FIR has been quashed, the respondent no. 2 is at a liberty to move an appropriate application before the learned Trial Court seeking release of the title / property documents pertaining to the aforesaid property.

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

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

VIKAS MAHAJAN, J

MARCH 5, 2024

N.S. ASWAL