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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 327/2022 & CRL.M.A. 1368/2022

ANIL KUMAR BHADHORIA

..... Petitioner

Through: Mr.B.P. Singh, Mr.Anuj Kumar
and Mr.Nakul Nirwan, Advs.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Shoaib Haider, APP with
SI Anurag
Respondent no.2 (through VC)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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04.03.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of order dated 24.11.2021 passed in Cr. Case 56551/2016 titled as ***State v. Harishankar Mishra & Ors.***, and FIR No. 229/2015 registered at Police Station: Parliament Street, New Delhi under Sections 419/420/120B of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. Pursuant to the investigation, the charge-sheet has been filed by the police.
3. The learned counsel for the petitioner submits that the parties, that is, the petitioner and the respondent no.2 have settled their *inter se* disputes and have executed a settlement vide Settlement



Deed/Memorandum of Understanding dated 08.05.2017.

4. The respondent no.2, who is present through video conferencing and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.

6. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

7. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. FIR No.229/2015 registered at Police Station: Parliament Street, New Delhi under



Sections 419/420/120B of IPC, the Order dated 24.11.2021 passed in Cr. Case 56551/2016 titled as *State v. Harishankar Mishra & Ors.* and all the consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.3 lacs with the *Delhi Police Martyrs' Fund*, [Bank Name: *UCO Bank, IIPA, ITO, New Delhi, A/c No. 18200110036907*] within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

9. The pending application stands disposed of as infructuous.

NAVIN CHAWLA, J

MARCH 4, 2024/ns/am

Click here to check corrigendum, if any