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

+ **CRL.M.C. 951/2024**

BIMAL KISHORE BAJAJ

..... Petitioner

Through: Mr.Vipul Srivastav,
Mr.Rajendra Vats, Ms.Kislaya
Parashar, Ms.Ritika, Advs.

versus

STATE GOVT OF NCT DELHI AND ANR Respondents

Through: Ms.Priyanka Dalal, APP with
SI Vikas Pawar.
Mr.Nikhilsh Krishanan,
Mr.Abhishek B. Singh, Advs.
for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **07.02.2024**

CRL.M.A. 3820/2024 (Exemption)

1. Allowed, subject to all just exception.

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2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 0101/2018 registered at Police Station: Mahendra Park, New-West Delhi under Sections 420/467/468/471/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom.

3. Issue notice.

4. Notice is accepted by the learned APP for the State and the learned counsel for the respondent no.2.



5. The learned counsel for the petitioner submits that parties have amicably settled their disputes and have executed the Memorandum of Settlement dated 08.01.2024 and terms thereof the petitioner has handed over 11 Demand Drafts totalling Rs.1.27 crores to the respondent no.2, who is present in Court, duly identified by the Investigating Officer (IO).
6. The respondent no.2 submits that he has amicably settled with the petitioner, he joins in the prayer of the petitioner for quashing the FIR and consequential proceedings arising therefrom.
7. The learned APP for the State points out that in the charge-sheet apart from the petitioner one Mr.Ramesh Leekha has also been charged but he has not been made a party.
8. The learned counsel for the petitioner submits that Mr.Ramesh Leekha has unfortunately expired during the pendency of the proceedings and therefore, he has not been made a party to this petition.
9. I have perused the contents of the FIR and also the settlement between the parties.
10. Keeping in view the above facts and that the respondent no.2 does not wish to pursue his 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.
11. 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 3, 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.

12. Accordingly, the petition is allowed. FIR No. 0101/2018 registered at Police Station: Mahendra Park, North- West Delhi under Sections 420/467/468/471/34 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioners deposit costs of Rs.5,00,000/- each with the Delhi State Legal Services Authority within a period of two 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.

13. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the POCSO Victims requiring such assistance.

14. The petition is disposed of.

NAVIN CHAWLA, J

FEBRUARY 7, 2024/Arya/RP

Click here to check corrigendum, if any