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

+ **CRL.M.C. 1620/2024**

KESARI TOUR PRIVATE LIMITED

..... Petitioner

Through: Mr. Anuja Sinha & Ms. Yati Ranjan,
Advs. with AR of the petitioner
company.

Versus

THE STATE (GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI Deepak Kumar, P.S. Lajpat
Nagar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

09.05.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 0362/2023, under Sections 420/406/120B of the IPC, registered at P.S. Lajpat Nagar.
2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the investigation in the aforesaid FIR, the parties have entered into MOU dated 01.07.2023 (Document P-5). In pursuance of which, respondent no.2 has given no objection if the present FIR is quashed.
3. Petitioner represented through Authorised Representative Awadhesh Kumar Singh and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the



Investigating Officer SI Deepak Kumar, P.S. Lajpat Nagar.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioner/company and he has no objection if the FIR is quashed. He further states that all the terms of the agreement have been complied with and as per the settlement, he has received a sum of Rs. 10,31,664/- from the petitioner.

5. Learned APP for the State submits that investigation in the present FIR is pending and chargesheet has not been filed. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed, subject to imposition of cost.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

7. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0362/2023, under Sections 420/406/120B of the IPC, registered at P.S. Lajpat Nagar.

8. In the interest of justice, the petition is allowed, and the FIR No. 0362/2023, under Sections 420/406/120B of the IPC, registered at P.S. Lajpat Nagar, is hereby quashed, subject to petitioner depositing a cost of



Rs. 50,000/- with Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, IFSC Code: UCBA0003364, Branch- Rouse Avenue), within a period of ten days from today. The amount so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Petition is allowed and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 9, 2024/nk

Click here to check corrigendum, if any