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

+ **W.P.(CRL) 705/2024**

JAVED ALI

..... Petitioner

Through: Mr. Jahangir Ahmad, Ms. Kirti Aggarwal & Ms. Ruksar ul Nissa, Advocates alongwith Petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for the State with Mr. Alok Sharma & Mr. Vasu Agarwal, Advocates.
SI Mukesh Kumar, P.S. Vasant Kunj, North.
Respondent no. 2 in person alongwith Counsel (appearance not given).

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **29.02.2024**

CRL.M.A. 6602/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. The present petition under Article 226/227 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 276/2022, under Section 420 of the IPC, registered at P.S. Vasant Kunj, North.



4. Learned counsel for the petitioner submits during the pendency of the aforesaid proceedings, that latter and respondent no. 2 have arrived at a settlement before Delhi Mediation Centre, Patiala House Courts Complex, New Delhi *vide* settlement dated 05.02.2024 for total sum of Rs. 3,00,000/-. In pursuance of the said settlement, a sum of Rs. 2,00,000/- has already been paid to respondent no. 2 and Rs. 1,00,000/- has to be paid today in the form of a demand draft.

5. Petitioner and respondents no. 2 are present before the Court and have been duly identified the Investigating Officer, SI Jitender Singh, P.S. Inderpuri.

6. A demand draft bearing no. 000087, dated 26.02.2024 for Rs. 1,00,000/- drawn on HDFC Bank, has been handed over to respondent no. 2, who acknowledges the receipt of the same.

7. The complainant/respondent no. 2 states that the matter has been settled with the petitioners and he has no objection if the FIR is quashed.

8. Learned Additional Standing Counsel for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned ASC for the State also has no objection if the present FIR is quashed, subject to cost.

9. 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.”

10. 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. 276/2022, under Section 420 of the IPC, registered at P.S. Vasant Kunj, North.

11. In the interest of justice, the petition is allowed, and the FIR No. 276/2022, under Section 420 of the IPC, registered at P.S. Vasant Kunj, North, is hereby quashed, subject to cost of Rs. 25,000/- to be deposited by the petitioner with Delhi High Court Bar Association Employees Welfare Fund within 07 working days from today.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 29, 2024/bsr