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

+ **CRL.M.C. 2665/2023 & CRL.M.A. 10040/2023**

GOURAV NANDA @ GOURAV BHALLA & ANR.Petitioners

Through: Mr. Mukesh Kalia and Ms. Kanika
Vohra, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI) & ORS.Respondents

Through: Ms. Richa Dhawan APP for the State
along with SI Gaurav Kumar, PS-
Crime Branch.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

17.12.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" hereinafter) (earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC")) has been filed by the petitioners praying for quashing of FIR bearing No. 0153/2022 registered at Police Station Crime Branch, Delhi, for offences punishable under Sections 419/420/120B/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. Learned counsel for the petitioner submitted that on account of certain misunderstanding between the petitioners and the respondent no.2, a complaint was lodged against the petitioner by the respondent no.2, which culminated into the instant FIR.

3. It is submitted that with the intervention of friends, relatives and



respective members of society, the petitioners and respondent no.2 entered into settlement *vide* Compromise Deed/Memorandum of Understanding (“MoU” hereinafter) dated 25th December, 2022. The terms and conditions of the said settlement are mentioned in the MoU, which is annexed as Annexure P-3 to the petition.

4. It is submitted that the entire settlement amount of Rs. 28,00,000/- has already been paid to the respondent no. 2 as per the MoU. It is further submitted that the petitioners are paying an additional amount of Rs.5,00,000/- to the respondent no.2 today in the Court and have handed over two cheques bearing no. 301020 and 0099883 for the amount of Rs. 2,50,000 each dated 17th December, 2024 issued in favour of respondent no. 2. The respondent no. 2 has verified the particulars of the cheques to her satisfaction and stated them to be correct.

5. Accordingly, it is prayed that the instant FIR be quashed on the basis of the settlement arrived at between the parties.

6. *Per contra*, Ms. Richa Dhawan, learned APP for the State submitted that there is no objection to the prayer made on behalf of the petitioners seeking quashing of the FIR in question and subsequent proceedings emanating therefrom, in view of the settlement arrived at between the parties.

7. Heard learned counsel for the parties and perused the record.

8. It was observed by the Hon’ble Supreme Court in the case of ***Ramgopal and Ors. Vs. The State of Madhya Pradesh, 2021 INSC 568***, that the extraordinary power enjoined upon the High Courts under Section 482 of CrPC can be invoked to quash an FIR if the Court is satisfied that the nature of the offence does not impact the conscience of the society and that



the compromise between the parties is voluntary and amicable.

9. The petitioners are present before this Court and have been identified by the Investigating Officer (“IO” hereinafter) and their counsel and the respondent no. 2 is present before this Court and has been identified by the IO and his counsel.

10. On the query made by this Court, the respondent no.2 has categorically stated that she has entered into compromise on his own free will and without any pressure and therefore, does not wish to pursue this matter further. The parties undertook that they shall abide by all the terms and conditions of the settlement arrived at between the parties.

11. In the instant case, as stated above, the parties have reached a compromise and amicably settled the entire disputes without any pressure. In view of the settlement arrived at between the parties, the present petition is allowed and the FIR bearing No. 0153/2022 registered at Police Station Crime Branch, Delhi, for offences punishable under Sections 419/420/120B/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition alongwith pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 17, 2024

Rk/st

Click here to check corrigendum, if any