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

+ CRL.M.C. 1612/2022

VINAY KHANDELWAL

..... Petitioner

Through: Dr.R.S.Sasan, Adv. along with
petitioner in person.

versus

THE STATE (NCT OF DELHI) AND ANR. Respondents

Through: Mr.Aman Usman, APP with SI
Manoj Kumar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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09.05.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.372/2021 registered at Police Station: Nihal Vihar, Outer District, Delhi under Sections 420/467/468/471/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioner submits that the disputes between the parties arose out of a commercial transaction in relation to the subject property in Uday Vihar, Nilothi Extension, New Delhi.

3. He submits that the petitioner and the respondent no.2 have now settled their *inter se* disputes and have entered into a Compromise Deed dated 13.03.2022. He submits that the petitioner in furtherance to the abovementioned settlement has withdrawn his Civil Suit filed, *inter alia*, against the respondent no.2 herein. He submits that the



respondent no.2 does not wish to pursue the present FIR against the petitioner as he perceives him to be innocent.

4. The learned APP submits that the quashing of the FIR as against the petitioner may have an adverse effect on the case against the co-accused persons. This has been explained to the respondent no.2, who is personally present in Court and has been duly identified by the IO. The respondent no.2 states that as he does not perceive the petitioner to be, in any manner, involved in the commission of the alleged offence, he has no objection if the present FIR as against the petitioner herein is dropped and is pursued only against the co-accused persons.

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

6. Keeping in view the above and considering the fact that according to the respondent no.2 as well, the petitioner is not, in any manner, involved in the commission of the alleged offence, in my opinion, no purpose would be served in keeping the subject FIR pending as against the petitioner herein.

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 as against the petitioner herein.



8. Accordingly, the petition is allowed. FIR No.372/2021 registered at Police Station: Nihal Vihar, Outer District, Delhi under Sections 420/467/468/471/34 of the IPC and all consequential proceedings emanating therefrom only against the petitioner herein are quashed.

NAVIN CHAWLA, J

MAY 9, 2024
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