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

+ **CRL.M.C. 2355/2024**

SAURABH NANDAKISHOR PARDESHIPetitioner

Through: Mr. Kuldeep Rana, Advocate with
petitioners in person.

versus

STATE AND ANR.Respondents

Through: Mr. Hemant Mehla, APP for State.
Respondent No. 2 in person.
S.I. Jatin Kaushik & PSI Deepak, PS
Raj Park, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

23.08.2024

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1. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 34/2024 registered under Sections 420/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Raj Park, Delhi.

2. Brief facts of the case are that the account of the respondent No. 2 was debited twice and an amount of total Rs. 1,00,000/- was withdrawn and the same was done by changing the sim card of mobile of the respondent No. 2.

3. It is further submitted that on the complaint of respondent No. 2, an FIR bearing No. 34/2024 under Sections 420/34 of the IPC, 1860 got registered at Police Station Raj Park, Delhi against the petitioners, which is



pending before the learned Trial Court Delhi.

4. It is also submitted that during the pendency of the trial, the parties have settled all the disputes and differences between them *vide* Compromise Deed dated 12.03.2024 which *inter alia* states that: -

- (i) That both the parties undertake not to claim anything in any manner against each other and live peacefully,
- (ii) That the respondent No. 2 has agreed not to pursue the present FIR and shall give his consent in getting the same quashed,
- (iii) That both the parties undertake not to raise any dispute or case against each other in future and further undertake not to have any link or concern with each other,
- (iv) That the petitioners shall make a payment of Rs. 1,00,000/- to the respondent No. 2 at the time of quashing of FIR,
- (v) That the parties undertake to remain bound by the terms of the Compromise Deed.

5. In view of the Compromise Deed dated 12.03.2024, the present petition has been filed.

6. The petitioners and the respondent No. 2 are present in person in the Court today, and they have been identified by their counsel and Investigating Officer concerned.

7. It is further submitted that Rs. 1,00,000/- has already been paid to the respondent No. 2 by the petitioners.

8. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 12.03.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

9. The present petition has been signed by the petitioners and is



supported by their affidavits as well as of respondent No. 2. The parties have endorsed and reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

10. Today, the complainant/respondent No. 2, who is present in person in the Court, states that he has received all amounts due to him and has no objection if the FIR is quashed.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

12. Moreover, there is no legal impediment in quashing the FIR in question.

13. Accordingly, the FIR bearing No. 34/2024 registered at Police Station Raj Park, Delhi, for offences punishable under Sections 420/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

14. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 23, 2024

S.Sharma