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

+ **CRL.M.C. 2590/2024**

MANISH KUMAR MISHRA

..... Petitioner

Through: Mr. R. S. Mishra, Mr. K.
K. Sharma, Ms. Deepti
Mishra, Mr. Anand Mishra
and Ms. Stuti Joshi, Advs.
Petitioner in person.

versus

THAE STATE & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP
for the State with Ms.
Akshita Tyagi, Adv. with
SI Ravinder Chander, PS
Amar Colony, South East,
Delhi.
Mr. Dawneesh Shaktivats
and Ms. Himanshi Mehta,
Advs. for the complainant
/ R-2.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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02.04.2024

CRL.M.A. 9886/2024 (*exemption from filing certified copies of
all annexures*)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 2590/2024

1. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (**CrPC**) seeking quashing of FIR No. 380/2021 dated 24.08.2021, under Sections 419/420 of the

CRL.M.C. 2590/2024

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Indian Penal Code, 1860 (IPC), registered at Police Station Amar Colony. The FIR was registered on a complaint given by Respondent No. 2.

2. It is alleged that the petitioner told the complainant that they are officers of CBI in Cabinet Secretariat having grade pay of ₹46,000/- and thereby, allured on the pretext of arranging government service, and duped him into paying ₹12,00,000/- for the same. It is further alleged that the petitioner cheated the complainant after taking him into confidence.

3. The learned counsel for the petitioner submits that transaction with the complainant was purely commercial and the entire money has been returned to the satisfaction of complainant.

4. The present petition has been filed on the ground that the matter has been amicably settled between the parties by way of a Memorandum of Understanding cum Compromise Deed dated 22.03.2024 on their own free will, without any pressure, threat, coercion or undue influence.

5. In view of the Memorandum of Understanding cum Compromise Deed dated 22.03.2024, out of the total settlement amount of ₹6,50,000/-, a sum of ₹2,50,000/- already stands paid to Respondent No. 2, and the balance amount of ₹4,00,000/- has been handed over to Respondent No. 2 today in Court in the form of Demand Draft No. 835006 dated 27.03.2024 drawn on UCO Bank.

6. The parties are present in person and have been duly identified by the Investigating Officer.

7. On being asked, the complainant / Respondent No. 2 states that he has no objection if the proceedings arising out of the present FIR are quashed.



8. Chargesheet has been filed in the present case.
9. Offences under Sections 419/420 of the IPC are compoundable in nature. Therefore, no purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.
10. However, keeping in mind the fact that the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.
11. In view of the above, FIR No. 380/2021 and all consequential proceedings arising therefrom are quashed, subject to payment of cost of ₹10,000/-, to be deposited by the petitioner with the Delhi Police Welfare Fund.
12. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

APRIL 2, 2024

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