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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1036/2024**
NARESH KUMAR SHARMA AND ANR Petitioners
Through: **Mr.Kedar Goswami, Adv.**

versus

STATE NCT OF DELHI AND ANR Respondents
Through: **Mr.Sanjay Lao, SC (Crl.) with**
Mr.Abhinav Kumar Arya and
Mr.Shivesh Kaushik, Adv.
Mr.Randeep Singh, Adv. for R-
2 along with R-2 in person.
Insp. Vishvendra

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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02.04.2024

1. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.346/2018 registered at Police Station: Dwarka South, Dwarka District, New Delhi, under Section 420 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings emanating therefrom, on the basis of a settlement.
2. Issue notice.
3. Notice is accepted by Mr.Sanjay Lao, learned Standing Counsel (Crl.) for the State and by Mr.Randeep Singh, learned counsel for the respondent no.2.
4. The learned counsel for the petitioners submits that the disputes arose out of a commercial dispute between the parties and some petty



issues, which led to the filing of the above FIR.

5. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Deed dated 12.03.2024.

6. The learned counsel for the petitioners has handed over a demand draft of Rs.5 lacs to the respondent no.2, who is personally present in Court, and has been duly identified by the Investigating Officer (IO). He reaffirms the settlement and states that he has settled all the disputes with the petitioners out of his own free will and without any coercion. He submits that he has no objection if the present FIR is quashed.

7. I have perused the contents of the FIR and also the settlement arrived at between the parties.

8. Keeping in view the fact that disputes between the parties arose out of a commercial dispute that has been settled now, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

9. 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.

10. Accordingly, the petition is allowed. FIR No.346/2018 registered



at Police Station: Dwarka South, Dwarka District, New Delhi, under Section 420 of the IPC and all consequential proceedings emanating therefrom against the petitioners are hereby quashed.

NAVIN CHAWLA, J

APRIL 2, 2024/ns/AS

[Click here to check corrigendum, if any](#)