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

+ **CRL.M.C. 2616/2024 & CRL.M.A. 9986/2024**

PRAVEEN SINGH

..... Petitioner

Through: Mr. Himanshu and Ms. Srishti
Agrawal, Advocates with petitioner in
person.

versus

STATE NCT OF DELHI & ANR

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Harpal Madan PS
EOW.
Counsel for respondent No.2
(presence not given).

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.04.2024

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1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioner seeking quashing of FIR No. 144/2021 registered under Sections 408/468/471/120B IPC at Police Station EOW, Delhi and all the proceedings emanating therefrom on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR relate to fraud and forgery of documents and siphoning of funds by the petitioner.
3. Mr. Sanjeev Sabharwal, learned APP for the State, on instructions, submits that the petitioner is the accused and respondent No.2 is the complainant company in the present case. He further states that there are total of 15 accused persons however the present petition has been filed by only one of them.



4. Learned counsel for the petitioner submits that the present FIR has been registered due to misunderstanding. He further submits that parties have amicably settled their disputes vide Memorandum of Understanding dated 17.02.2023, a copy of which has been placed on record. In terms of the said settlement, complainant company is now left with no claim or grievance against the petitioner.
5. Petitioner who is present in Court, has been identified by his counsel as well as the I.O./ Inspector Harpal Madan PS EOW.
6. Petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Learned counsel for respondent No. 2 company also states that the respondent No.2 has settled the disputes with the petitioner out of its own free will, volition and without any coercion. He further states that respondent No.2 has no objection if the present FIR and consequent proceedings are quashed.
7. The parties shall remain bound by the statements made in Court today.
8. In Parbatbhai Aahir and Others v. State of Gujarat and Another reported as **(2017) 9 SCC 641**, it has been held as under:-

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing in so far as the exercise of the inherent power to quash is concerned;
16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in



appropriate situations fall for quashing where parties have settled the dispute;

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and... ”

9. Similarly, in State of Madhya Pradesh v. Laxmi Narayan and Others reported as **(2019) 5 SCC 403**, it has been held as under:-

“15. Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:

15.1. That the power conferred Under Section 482 of the Code to quash the criminal proceedings for the non-compoundable offences Under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;”

10. Learned counsel for the petitioner states that the proceedings pending against co-accused Vivek Sharma and Amit Khosla & Ors. were also quashed vide orders of this Court dated 14.03.2024 passed in CRL. M.C.1171/2023 and CRL. M.C. 2103/2024.

11. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed against the petitioner only subject to payment of cost of Rs.25,000/- to be deposited with the Delhi State Legal Services Authority (Account



No.18580110053263, UCO Bank, Branch Rouse Avenue, IFSC: UCBA0003364) within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

12. Proof evidencing receipt of deposit shall be filed with the I.O.

13. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

14. With the above directions, the petition is disposed of alongwith miscellaneous application. The trial shall proceed against the other accused persons.

15. In case receipt of cost is not filed within two weeks, the I.O. shall be at liberty to move appropriate application.

MANOJ KUMAR OHRI, J

APRIL 8, 2024/rd