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

+ **W.P.(CRL) 1101/2024**

ARUN YADAV & ORS.

..... Petitioners

Through: Mr.Abhishek Ghai, Adv. with
petitioners

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Amol Sinha, ASC (Crl),
Mr.Kshitiz Garg, Mr.Ashvini
Kumar, Ms.Chavi Lazarus,
Advs. with SI Yogesh Kumar.
Mr. Rohit Goel, Adv. for the
complainant.
Complainant through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.04.2024**

CRL.M.A. 10420/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 396/2011 registered at Police Station: Vijay Vihar, Delhi under Sections 500/506/34 of the Indian Penal Code, 1860 (in short, 'IPC') (subsequently Section 406 of the IPC has also been invoked) and the proceedings arising therefrom.

3. The learned counsels for the parties submit that the dispute leading to the filing of the present FIR arose primarily out of a



commercial dispute between the distributor and the supplier.

4. Though after a long delay, the parties have entered into a settlement of all their disputes settling various litigations that are pending between them.

5. The authorized representative of the respondent no.2, who is present in Court (through VC) and has been duly identified by the Investigating Officer (IO), reaffirms the settlement and states that the respondent no.2 has settled all the disputes with the petitioner. He submits that the respondent no.2 has no objection if the present FIR is quashed.

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

7. Keeping in view the fact that disputes arose out of the commercial relationship between the parties and the respondent no.2 does not wish to pursue its complaint any further, as also the Settlement arrived at between the parties, 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 will be an unnecessary burden on the State exchequer.

8. 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.

9. Accordingly, the petition is allowed. FIR No. 396/2011 registered at Police Station: Vijay Vihar, Delhi under Section 500/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners, jointly or severally, shall deposit costs of Rs.50,000/-. Similarly, the respondent no.2 shall also deposit costs of Rs.50,000/-. The parties shall deposit the costs with the “*Delhi High Court Staff Welfare Fund, UCO Bank, Delhi High Court, A/C 15530110074442, IFSC Code UCBA0001553*”, within a period of four weeks from today and they shall also file proof thereof with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

APRIL 5, 2024/Arya/AS

Click here to check corrigendum, if any