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

+ **CRL.M.C. 3169/2024**

THAKOR ANIL JI

..... Petitioner

Through: Mr. Mithlesh Kumar, Mr. Dilip
Raghuvanshi, Mr. Vijay Sharma and
Mr. Amit Kochar, Advs. along with
petitioner through VC

versus

THE STATE OF DELHI & ANR.

..... Respondents

Through: Mr. Ritesh Kumar Bahri, APP for
State with Insp. Kaushlesh Kumar
Jha, Cyber Police Station, North West
Distt.
Mr. Anish Chandra Mishra, Adv. for
R-2

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
25.04.2024

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CRL.M.A. 12235/2024 & CRL.M.A. 12236/2024 (exemptions)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3169/2024

2. The present petition has been filed seeking quashing of FIR
No.1/2024 under Section 420 IPC registered at Cyber Police Station North
West on the ground that the parties have arrived at a settlement.

3. Issue notice. Learned APP for the State accepts notice.

4. The petitioner, who has joined through VC, as well as, respondent



no.2 present in the court have been identified by their respective counsel and by the Investigating Officer.

5. The case in brief is that a complaint was made by the respondent no.2 alleging that in the name of share market, a fraud has been committed with him. The allegation is that the respondent/complainant was induced to invest in the share market. On the complaint made by the respondent no.2, the aforesaid FIR came to be registered.

6. During the pendency of the proceedings, the petitioner as well as respondent no.2 have arrived at a settlement, terms whereof have been reduced in writing in the form of MoU cum Settlement Deed dated 18.03.2024, which is annexed as Annexure-P6 to the present petition. As per the said settlement, the petitioner paid a total sum of Rs.30,14,224/- in the manner mentioned in the settlement deed.

7. The respondent no.2, who is present in Court, affirms the factum of settlement and acknowledges having received full and final settlement amount of Rs.30,14,224/-. He states that he has no objection in case the aforesaid FIR is quashed.

8. At this stage, apt would it be to refer to the observations of the Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303: (SCC p. 340, para 58)***

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”



9. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.
10. It is, thus, in the interest of justice that the present FIR and all other proceedings emanating therefrom are quashed.
11. Consequently, the petition is allowed and the FIR No.1/2024 under Section 420 IPC registered at Cyber Police Station North West along with all other consequential proceedings emanating therefrom, is quashed.
12. The petition stands disposed of in the above terms.
13. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

APRIL 25, 2024

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