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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1357/2019, CRL.M.A. 9926/2019 Exemption, CRL.M.A.
12584/2023 (Additional documents)

SANJAY YADAV

..... Petitioner

Through: Mr. Mohit Mathur, Sr. Advocate with
Mr. Vikas Sharma, Mr. Surya Singh,
Ms. Tanya Kaushik, Mr. Maruti
Nandan and Ms. Jyoti Sharma,
Advocates alongwith the petitioner in
person.

versus

STATE & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Insp. Bikramjeet, P.S.- Raja Garden,
SI Jagdish, P.S.- Dwarka, SI Vinod
Kumar, P.S. Chhawla.
Mr. Dhruv Sharma, Advocate for R-4.
Respondents no. 2 to 8 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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06.03.2024

CRL.M.A. 7315/2024 (Impleadment of parties)

1. The present application filed on behalf of the petitioner under Section
482 of the CrPC seeks the following prayers:

“In the above facts and circumstances, it is most respectfully prayed
that this Hon'ble Court may kindly be pleased to allow the present
Application and consequently Implead the above-said accused
persons as Respondent No. 7 and 8, and further, take on record the
Amended Memo of Parties. in the interest of justice.”



2. Issue notice.
3. Learned Additional Standing Counsel for the State accepts notice and fairly does not oppose the present application.
4. In view of the averments made, the present application is allowed. The amended memo of parties impleading respondents no. 7 and 8 as parties to the present petition is taken on record.
5. The application stands disposed of.

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6. The present petition seeks quashing of FIR No. 653/14 under Sections 420/467/468/471/120B IPC registered at Chhawala PS and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Visvesh, learned Metropolitan Magistrate, Dwarka, Delhi.
7. Learned Senior Counsel for the petitioner submits that the latter and other co-accused persons, i.e., respondents no. 7 and 8 have settled the matter with the complainant/respondent no. 4.
8. Learned Additional Standing Counsel for the State, on instructions of the Investigating Officer, submits that the chargesheet in the present case has been filed. It is submitted that apart from the petitioner, respondents no. 7 and 8, the complainant in the present FIR, i.e., respondent no. 4 has also been arrayed as an accused in the chargesheet.
9. The petitioner as well as respondents no. 2 to 8 are present in person and have been correctly identified by the Investigating Officer SI Vinod Kumar, P.S. Chhawla.
10. The parties submit that all the terms of the settlement have been complied with. It is submitted that pursuant to the settlement, the petitioner



has further undertaken to withdraw Ex. Civil/105/2021 pending before the Court of the learned Additional District and Sessions Judge, Dwarka as well as Complaint Case No. 12827/2020 under Section 138 of the Negotiable Instruments Act, pending before the Court of the learned Metropolitan Magistrate, South-West, Dwarka. The undertaking is taken on record.

11. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

12. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 653/14 under Sections 420/467/468/471/120B IPC registered at Chhawala PS and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Visvesh, learned Metropolitan Magistrate, Dwarka, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 653/14 under Sections 420/467/468/471/120B IPC registered at Chhawala PS and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Mr. Visvesh, learned Metropolitan Magistrate, Dwarka, Delhi, is hereby quashed subject to a cost of Rs.



1,00,000/- each to be deposited by the petitioner and respondent no. 4, as a consolidated sum of Rs. 2,00,000/- with the Delhi High Court Advocates Welfare Trust, within 10 days.

14. Petition is allowed and disposed of accordingly.

15. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MARCH 6, 2024/ss