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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 4420/2023**

**SONAL SANDUJA & ORS.**

..... Petitioners

Through: Mr. Rajesh Dua and Mr. Sanjay Sethi,  
Advocates with petitioners in person.

versus

**STATE OF DELHI & ANR.**

..... Respondents

Through: Mr. Aashneet Singh, APP for State  
with SI Rohit, P.S. Special Staff.  
Ms. Chetna, Advocate for  
complainant with Mr. Javed Chauhan,  
A.R. of respondent No.2.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

**15.04.2024**

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1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 280/2022 registered under Section 420 IPC at P.S. Bara Hindu Rao, Delhi on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR relate to fraud and forgery with respect to banking transactions involving the Travel/Prepaid Card facility.
3. Mr. Singh, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the complainant/victim in the present case.
4. Learned counsel for the petitioners submits that the petitioners and respondent No. 2 have amicably settled their disputes vide Memorandum of Understanding/Settlement Agreement dated 18.04.2023, a copy of which has



been placed on record. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. Petitioners, who are present in Court, have been identified by their counsel as well as the I.O./SI Rohit, P.S. Special Staff. Petitioners have shown remorse for their conduct and undertake not to repeat the same in future.

6. Mr. Javed Chauhan, A.R. of respondent No. 2 is present with his counsel. He has been identified by his counsel as well as the I.O. Mr. Javed states that respondent No.2 has settled the disputes with the petitioners out of its own free will, volition and without any coercion and an affidavit in this regard has also been placed on record giving no objection to the quashing of the FIR. 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:*

*xxx*

*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. 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 subject to payment of cumulative cost of Rs.1,00,000/- out of which Rs 50,000/- is to be deposited with the Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) and Rs 50,000/- is to be deposited with Delhi High Court Bar Association Sports Club (A/c No.15530110006412), within a period of four weeks from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.



11. Proof evidencing receipt of deposit shall be filed with the I.O. failing which, the I.O. shall be at liberty to move an appropriate application.
12. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.
13. With the above directions, the petition is disposed of.

**MANOJ KUMAR OHRI, J**

**APRIL 15, 2024**

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