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

+ **CRL.M.C. 3616/2024**

VIRENDER SINGH

.....Petitioner

Through: Mr. Jaideep Malik, Mr. Siddharth
Soni and Mr. Abhinav Garg, Advs.

versus

STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Laksh Khanna, APP for State
with SI Dilsukh, PS KNK Marg.
R-2 & R-3 through V.C.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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08.10.2024

1. By way of present petition, the petitioner seeks quashing of FIR No.99/2021, registered under Sections 419/420/448/468/471/120-B IPC at Police Station K.N. Katju Marg, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations in the FIR, the petitioner made a forged sale deed in his favour in respect of a property belonging to the respondent Nos.2 & 3.
3. Learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent Nos. 2 & 3 are the complainants/victims in the present case. He further states that since the State machinery has been put in use, the petitioner be saddled with some costs.
4. Learned counsel for the petitioner submits that the present FIR has been registered due to some misunderstanding. He further submits that



parties have amicably settled their disputes vide Memorandum of Understanding dated 17.08.2021, a copy of which has been placed on record. In terms of the said settlement, respondent No.2 and 3, i.e the complainants/victims are now left with no claim or grievance against the petitioner as they have received the entire amount.

5. Petitioner, who is present in Court, has been identified by his counsel as well as the I.O./SI Dilsukh, P.S. KNK Marg. Respondent Nos. 2 & 3, who have joined the proceedings through video-conferencing, have also been identified by the I.O.

6. Petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent Nos. 2 & 3 also state that they have settled the disputes with the petitioner out of their own free will, volition and without any coercion. They further state that they have 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. 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 cost of Rs. 20,000/- to be deposited by the petitioner 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.

11. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court. In case the proof of cost is not filed within two weeks, the IO shall be at liberty to move an appropriate application in this regard.

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

OCTOBER 8, 2024

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