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

+ CRL.M.C. 3631/2024 & CRL.M.A. 13910/2024 (Stay)

SUNIL GOEL

..... Petitioner

Through: Mr. S.S. Jauhar, Mr. Rajesh,
Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with S.I. Jitender, P.S. GK-I.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
24.05.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 142/2021 under Section 420 of the IPC registered at P.S. Greater Kailash.
2. Learned counsel for the petitioner submits that during the pendency of the investigation in the aforesaid FIR, the parties have arrived at a settlement *vide* settlement deed dated 14.04.2024, in pursuance to which respondent no. 2 has no objection if the present FIR is quashed.
3. In pursuance of the aforesaid settlement, the amount of Rs. 30,00,000/- have already been paid to respondent no. 2/complainant and the remaining amount of Rs. 30,00,000/- has been paid to her in Court today, by means of demand drafts. It is pointed out that a post dated security



cheque bearing No. 247598 of Rs. 20,00,000/- drawn on J & K Bank, Greater Kailash Part-I, New Delhi, will be returned back to the petitioner after receiving the payment as per the terms of the aforesaid settlement. The parties have further undertaken to abide by their reciprocal obligations as agreed in the aforesaid settlement agreement.

4. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer.

5. Demand Drafts bearing Nos. 502513 and 502512, both dated 22.05.2024 of Rs. 10,00,000/- and Rs. 20,00,000/- respectively, drawn on ICICI Bank, Delhi-SDA, have been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.

6. The Complainant/respondent No. 2 states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed against the petitioner. She further states that all the terms of the settlement have been complied with. It is pointed out that an affidavit, dated 29.04.2024, of the respondent no. 2 has also been placed on record whereby she has given her no objection to the quashing of the present FIR and stated that she has entered into the settlement with the petitioner out of her own free will and without any coercion, undue influence or threat from any person.

7. Learned APP for the State submits that investigation in the present case FIR is pending and chargesheet is yet to be filed, however, in view of the settlement between the parties he has no objection if the present FIR is quashed subject to imposition of cost.

8. 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.”

9. 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 FIR No. 142/2021 under Section 420 of the IPC registered at P.S. Greater Kailash.

10. In the interest of justice, the petition is allowed, and the FIR No. 142/2021 under Section 420 of the IPC registered at P.S. Greater Kailash is hereby quashed, subject to payment of cost of Rs. 50,000/- to be deposited by the petitioner with Saket Bar Association Welfare Fund (A/C no. 32895685000, State Bank of India) within a period of seven working days from today.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 24, 2024/ab

Click here to check corrigendum, if any