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

\+ **CRL.M.C. 3736/2024**

ROHIT UPPAL & ANR. ..... Petitioners

Through: Mr. Gaurav Kochar and Mr. Nitin Arora, Advs.
Petitioner No. 1 in person.
Petitioner No. 2 (through VC)

versus

THE STATE GOVT OF NCT OF DELHI AND ANR. ..... Respondents

Through: Mr. Ajay Vikram Singh, APP for the State with Mr. Ramesh Kumar and Ms. Archana Saxena, Advs. with SI Neeraj Chahal, PS Seelampur.
Mr. Mohd. Arif and Mr. Mohammed Sultan, Advs. for R-2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

O R D E R

% 09.05.2024

CRL.M.A. 14304/2024 *(exemption from filing certified copy of annexures)*

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.C. 3736/2024

3. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (**CrPC**), seeking quashing of FIR

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No. 374/2023 dated 05.08.2023, under Sections 420/34 of Indian Penal Code, 1860 (**IPC**), at Police Station Seelampur. The FIR was registered on a complaint filed by Respondent No. 2/complainant.

4. It is alleged that the petitioners had committed fraud and took money from Respondent No.2 under the guise of doing business in partnership and thereby cheated him. It is further alleged that the petitioners misbehaved with the complainant and caused harassment.

5. It is submitted that the parties are known to each other and they had been business partners since long time.

6. The present petition is filed on the ground that the matter has been settled between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 08.04.2024, on their own free will, without any force, pressure, undue influence, misrepresentation or mistake.

7. In terms of the settlement dated 08.04.2024, out of the total settlement amount of ₹18,00,000/-, an amount of ₹8,00,000/- already stands paid to Respondent No. 2, and the balance settlement amount of ₹10,00,000/- has been handed over to Respondent No. 2 in Court today in the following manner:

a. ₹5,00,000/- by way of Demand Draft No. 512501 dated 08.05.2024 drawn on ICICI Bank; and
b. ₹5,00,000/- by way of Demand Draft No. 512498 dated 08.05.2024 drawn on ICICI Bank.

8. Petitioner No. 1 and Respondent No. 2 are present in person in Court today. Petitioner No. 2 has joined through video conferencing. The parties have been duly identified by the Investigating Officer.

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9. On being asked, the complainant states that he has no objection if the proceedings arising out of the present FIR are quashed.

10. The offence under Section 420 of the IPC is compoundable in nature.

11. Charge sheet has not been filed in the present case.

12. No useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.

13. In view of the above, FIR No. 374/2023 and the proceedings emanating therefrom are quashed.

14. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MAY 9, 2024
'KDK'

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