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

+ **W.P.(CRL) 1627/2020**

SMT PHOOLA RANI@PHOOLA DEVI & ANR..... Petitioners

Through: Mr. Viraj R. Datar, Sr. Advocate with
Mr. Vikas Bhatia, Advocates
alongwith petitioners in person.

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with Mr. Abhinav Kumar
Arya & Mr. Shivesh Kaushik,
Advocates.
SI Naveen Kumar, P.S. Keshav
Puram.
Ms. Jyoti Verma, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.02.2024

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1. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers:

“a) Quash the FIR No. 380/2015 under section 420/467/468/471/120B IPC, P.S. Keshav Puram, Nagar, New Delhi.

b) Pass any such order(s), which this Hon'ble Court deems fit and proper in the circumstances of the case in favour of the petitioners, in the interest of justice.”

2. Learned Senior Counsel appearing on behalf of the petitioners submits that the parties have arrived at a settlement before Delhi Mediation Centre, Rohini District Courts, Delhi vide settlement/agreement dated 29.06.2017 (ANNEXURE- P2). It is further pointed out that during the pendency of the present petition, the predecessor Bench of this Court vide



order 13.07.2022, recorded the statement of the complainant and observed as under:

“The statement of the complainant has been recorded, in as much as, it has been submitted on behalf of the petitioners that the premises in question has been transferred into the name of the complainant and thereafter re-sold also, coupled with the factum that vide order dated 12.07.2018 of the Court of the learned ADJ-02 (North), Rohini Courts, Delhi in CS No.1937/16, it had been observed to the effect whilst disposing of the said suit as settled that the Sub-Registrar VII, INA, Vikas Sadan, Delhi would cooperate with the parties so that, the conveyance deed which was directed to be cancelled be registered in the name of the plaintiff i.e. respondent no.2 herein.”

3. Learned counsel appearing on behalf of respondent no. 2 and learned Standing Counsel, on instructions of the Investigating Officer, submit that the settlement has been verified. It is further pointed out that chargesheet has been filed before the Court of competent jurisdiction under Sections 420/406/120B/34 of the IPC.

4. Petitioners are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Naveen Kumar, P.S. Keshav Puram.

5. In view of the settlement between the parties, learned Standing Counsel (Criminal) for the State has no objection if the present FIR is quashed.

6. 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.”

7. 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 FIR No. 380/2015 under Sections 420/467/468/471/120B IPC registered at PS Keshav Puram and all other proceedings emanating therefrom, including the chargesheet pending in the Court of Ms. Divya Arora, learned Metropolitan Magistrate, Rohini, Delhi.
8. In the interest of justice, the petition is allowed, and the FIR No. 380/2015 under Sections 420/467/468/471/120B IPC registered at PS Keshav Puram and all other proceedings emanating therefrom, including the chargesheet pending in the Court of Ms. Divya Arora, learned Metropolitan Magistrate, Rohini, Delhi, is hereby quashed.
9. Petition is allowed and disposed of accordingly.
10. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 21, 2024/bsr