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

+ **W.P.(CRL) 2080/2023 & CRL.M.A. 19307/2023**

CHANDER SHEKHAR GUPTA & ORS. Petitioners

Through: Mr. Manoj Sharma and Mr. Kapil
Kaushik, Advocates alongwith
petitioners in person

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma, Mr.
Vasu Agarwal, Advocates, SI Deepak
and Inspector Satbir Singh, P.S. Subzi
Mandi, Delhi
Mr. Sanjeev Kumar Baliyan,
DHCLSC for R-2 alongwith R-2 in
person

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
08.05.2024

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1. The instant petition under Article 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C. ') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 511/2022 dated 07.10.2022, registered at Police Station Subzi Mandi, North District, Delhi for the offences punishable under Sections 354/379/356/323/506/427/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Yasir Rauf Ansari, learned ASC accepts notice on



behalf of the State.

3. Petitioners are present before this Court and have been identified by their counsel Mr. Manoj Sharma and Investigating Officer (IO) Inspector Satbir Singh from Police Station Subzi Mandi, Delhi.

4. Brief facts of the present case are that on 24.01.2020, a collaboration agreement was executed between the complainant/respondent no.2, her husband, one Mr. Narayan Dass and petitioner no.1/contractor for reconstruction of the property bearing no. 2142-2143, Shora Kothi, Subzi Mandi, Delhi-110007 admeasuring area about 75 Sq. Yards. It is alleged that on 02.07.2021, when respondent no.2, her husband and one Mr. Narayan Dass had become dishonest qua their obligations in terms of the collaboration agreement, petitioner no.1 had filed a suit for Specific Performance and Permanent Injunction alongwith application under Order 39 Rule 1 and 2 of CPC against respondent no. 2/complainant, her husband and one Mr. Narayan Dass wherein the Status-Quo order dated 02.08.2021 was passed by the learned District Judge, Central District. Thereafter, respondent no. 2 had also filed a complaint under Section 156(3) of Cr.P.C. against the petitioners on 12.07.2021, in order to settle her pending civil litigation between her and the petitioners and to withdraw the petitioner's rights and entitlements in the abovesaid immovable property. It is stated that during the pendency of civil suit filed by petitioner no. 1, the present matter was sent to Delhi Government Mediation and Conciliation Centre where all disputes were amicably settled *vide* Mediation Settlement dated 04.08.2021.

5. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into settlement out of her own free will and without any pressure, coercion or



threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties *vide* Mediation Settlement dated 04.08.2021. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

6. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

7. Accordingly, FIR bearing no. 511/2022 dated 07.10.2022, registered at Police Station Subzi Mandi, North District, Delhi for the offences punishable under Sections 354/379/356/323/506/427/34 of IPC and all consequential proceedings emanating therefrom are quashed.

8. In view of above, the petition stands disposed of.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 8, 2024/ns

[Click here to check corrigendum, if any](#)