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

+ **CRL.M.C. 3922/2024**

ASHISH CHORDIA

.... Petitioner

Through: Mr. Amit Khanna, Mr.
Pushkar Katiyal, Mr. Sahil
Tokas & Ms. Kanika
Sharma, Advocates
alongwith Imran Khan
(Authorized
Representative)-in-Person.

versus

STATE (OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Ajay Vikram Singh,
APP for the State
alongwith Mr. Dhruv
Saini, Mr. Harsh Tomar &
Ms. Janhvi Nautiyal,
Advocates & SI Mukesh
(P.S. Preet Vihar).
Mr. Puneet Gaba,
Advocate for R-2
alongwith Himanshu Garg
(Authorized
Representative)-in-Person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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15.05.2024

**CRL.M.A. 14978/2024 (exemption from filing of certified copies
of annexures)**

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 ('CrPC'), seeking quashing of FIR No. 73/2017 dated 14.02.2017 registered at Police Station Preet Vihar for offences under Sections 406/420/34 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered at the behest of Respondent No.2/Complainant, against the petitioner.

4. It is alleged that the petitioner was engaged in the business of selling imported luxury cars. It is alleged that the petitioner entered into a business with Respondent No.2, who had expressed his willingness to buy a luxury car and had paid for the same. However, the petitioner did not deliver the car which led to the registration of the present FIR.

5. The present petition is filed on the ground that the parties have amicably settled all their disputes by way of a Memorandum of Understanding dated 01.05.2024, with the intervention of friends, family, and respectable persons of society, on their own free will without any coercion, pressure, or undue influence.

6. In terms of the Memorandum of Understanding dated 01.05.2024, out of the total settlement amount of ₹28,00,000/-, a sum of ₹15,00,000/- already stands paid to Respondent No. 2 and the balance settlement amount of ₹13,00,000/- is paid today to the Authorized Representative of Respondent No.2 by way of Demand Draft bearing no. 480138 dated 27.03.2024.

7. The parties are present in person and have been duly identified by the Investigating Officer. They state that they have settled their disputes amicably and they do not have any objection if the proceedings are quashed.



8. The FIR was lodged way back in the year 2017.
9. Offences under Sections 406/420 of the IPC are compoundable.
10. Keeping in view the nature of dispute and that the parties have amicably entered a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 482 of the CrPC.
11. However, keeping in mind the fact that the charge sheet has already been filed in the case arising out of FIR No. 73/2017, and the State machinery has been put to motion, ends of justice would be served if the parties are put to cost.
12. In view of the above, FIR No. 73/2017 and all consequential proceedings arising therefrom are quashed, subject to payment of cost of ₹10,000/-, to be deposited with the Delhi Police Welfare Fund and ₹10,000/- to Dwarka Court Bar Association, within a period of four weeks from today.
13. Proof of deposit be submitted with the concerned SHO.
14. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MAY 15, 2024

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