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

+ **W.P.(CRL) 2112/2023**

SHRI GUNJAN GOEL AND ORS & ORS.

..... Petitioners

Through: Mr. F.K. Jain, Ms. Manju B. Jain, Mr. Manak Goel, Mr. Kapil Chaudhari and Mr. Rohit Kumar, Advocates alongwith petitioners in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC (CrI.) for the State with SI Avaneesh Kumar, P.S. Jagatpuri, Delhi
Mr. Vinod Pal and Mr. Anuj Jain, Advocates for R-2 and 3 alongwith respondents in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

09.01.2024

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1. The instant petition under Article 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C. ') has been moved on behalf of petitioners seeking quashing of FIR bearing no. 165/2023 registered at Police Station Jagatpuri, District Shahdara, Delhi for offence punishable under Sections 323/354/506/34 of Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice on behalf of the State.



3. Petitioners are present before this Court and have been identified by their counsel Mr. F.K. Jain and Investigating Officer (IO) SI Avaneesh Kumar from Police Station Jagatpuri, Delhi.

4. Pertinent facts in the present case are that petitioner no.1 and 2 are engaged in construction business and petitioner no. 3 was working with them. It is stated that during the course of said business, original titled documents of three properties were handed over by the petitioner nos. 1 and 2 to petitioner no. 3 for getting the same photocopies, however, petitioner no. 3 carried the said documents at home and handed over the same to his wife/respondent no. 2, for safe custody. It is stated that respondent no.2 was doing small investments in the business of petitioner nos. 1 and 2 and due to certain disputes in settlement of the account, respondent no. 2 retained the said documents. It is stated that on 11.03.2023, on demand of the said documents by petitioner nos. 1 and 2 from petitioner no. 3, dispute arose between the petitioners and respondent no. 2, heated arguments were exchanged between the parties. Thereafter, respondent no. 2 made a complaint against the petitioner nos. 1 and 2 for physical assault, threatening and outraging the modesty of respondent no. 2 and 3. On the complaint of respondent no. 2, an FIR bearing no. 165/2023 was registered at Police Station Jagatpuri, District Shahdara, Delhi for offence punishable under Sections 323/354/506/34 of Indian Penal Code, 1860. It is stated that with the intervention of family members, common friends and relatives, the parties reached an amicable settlement *vide* Settlement Deed dated 06.07.2023.

5. On a query made by this Court, respondent nos.2 and 3 who have been identified by the IO, have categorically stated that they have entered



into compromise out of their own free will and without any pressure, coercion or threat. It is also stated by respondent nos.2 and 3 that the entire dispute has been amicably settled/compromised between them *vide* Settlement Deed dated 06.07.2023 and that they have no objection, if the FIR is quashed.

6. It is submitted that respondent nos.2 and 3 has settled all their claims including repayment of investment, interest, damages for harassment, mental tensions and agonies with petitioner Nos.1 and 2.

7. The petitioner nos. 1 and 2 have paid a sum of Rs. 3,00,000/- in two installments in the following manner:

- a. First installment of Rs.1,00,000/- paid to respondents at the time of execution of Settlement Deed.
- b. Second/Final instalment of Rs. 2,00,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

8. Today, respondent nos. 2 and 3 who are present in Court state that they have received the last and final instalment of Rs. 2,00,000/- today, i.e., 12.01.2024 and have no objection if the FIR is quashed.

9. 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.

10. Accordingly, FIR bearing No. 165/2023 registered at Police Station Jagatpuri, District Shahdara, Delhi for offence punishable under Sections 323/354/506/34 of the IPC and all consequential proceedings emanating



therefrom are quashed.

11. The petition stands disposed of.
12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 9, 2024/ns

Click here to check corrigendum, if any