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

+ **CRL.M.C. 3951/2024**

ARVINDER SINGH BHATIA

..... Petitioner

Through: Petitioner with his counsel Mr. Sahil Malik, Mr. Nakul Khatri, Mr. Sumit Sheoran, Mr. Sahil Lakra, Ms. Sonali Choudhary and Mr. Praveen Kumar Bhati, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Satish Kumar, APP for the State with Mr. Dravin Yadav, Mr. Gaurav Varma and Mr. Ashok Kumar Shukla, Advocates along with SI Dhan Singh, P.S. Pahar Ganj.
Complainant with his counsel Mr. Pradeep Kumar Pathak, Mr. Ashok Tobria and Ms. Suniti Tobria, Advs.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **16.05.2024**

CRL.M.A. 15074/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioner seeking



quashing of FIR bearing no.255/2000, registered at Police Station Pahar Ganj/Special Cell, Delhi for offences punishable under Sections 420/506/120-B of Indian Penal Code, 1860 ('IPC').

4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of the State.

5. The petitioner and respondent no. 2 are present before this Court in-person, and have been identified by their counsel and Investigating Officer (I.O.) SI Dhan Singh, Police Station Pahar Ganj.

6. Brief facts of the case are that on 22.05.2000 respondent no.2 made a complaint against the petitioner at Police Station Pahar Ganj/Special Cell, Delhi vide DD no. 29A. Subsequently, based on the aforementioned allegations, the present FIR was registered against the petitioner and other accused persons under Sections 420/506/120B Indian Penal Code, 1860 ('IPC') at Police Station Pahar Ganj. It is stated that on 10.01.2001, the chargesheet in the present case was filed by the investigating agency before the concerned court and the same is now fixed for recording of prosecution evidence on 03.08.2024. Further, respondent no.2 had filed a case against the petitioner under Section 138 of NI Act bearing CC no. 536410/2016 titled Ashok Kumar Khattar V/s Arvinder Singh Bhatia, wherein the learned MM Court had convicted the petitioner. It is stated that thereafter petitioner preferred an appeal against the order of conviction dated 15.07.2023 and sentence dated 10.08.2023 before the court of Sh. Anuj Aggarwal, Ld. ASJ, Tis Hazari Courts, Delhi, wherein the court had referred the matter for mediation. It is stated that in furtherance to the mediation proceedings, the petitioner and respondent no.2 have settled all their disputes amicably *vide* settlement deed dated 25.01.2024 wherein respondent no.2 no longer wishes



to pursue the pending case against the petitioner and the settlement amount was decided as Rs.24,00,000/-. Hence, the present petition has been filed.

7. Learned counsel appearing on behalf of the petitioner states that since the petitioner has already settled their disputes with respondent no. 2, as per the settlement deed dated 25.01.2024, hence the present FIR be quashed.

8. Learned counsel for respondent no. 2 submits that respondent no. 2 has entered into compromise out of his 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. Today, respondent no. 2, who is present in Court, states that he has received the settlement amount of Rs. 24,00,000/- (Rupees Twenty Four Lakhs Only) and has no objection if the FIR is quashed.

9. Per contra, learned APP appearing on behalf of the State submits that since the matter has been settled between the parties, he has no objection if the present FIR is quashed.

10. In view of the above facts that the parties have amicably resolved their disputes out 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.

11. Accordingly, FIR bearing no.255/2000, registered against the petitioner at Police Station Pahar Ganj/Special Cell, Delhi for offences punishable under Sections 420/506/120-B of the IPC and all consequential proceedings emanating therefrom are quashed, subject to the petitioner's depositing the cost of Rs. 20,000/-, with the Advocates' Welfare Fund, Patiala House Courts, New Delhi, within a week. Copy of the receipt be also filed with the Registry to show compliance of the order.



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

SWARANA KANTA SHARMA, J

MAY 16, 2024/A

Click here to check corrigendum, if any