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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3777/2022 & CRL.M.A. 15814/2022**
DAYA NAND GUPTA

..... Petitioner

Through: Mr.Umesh Gupta & Mr.Rajat
Narang, Advs. along with
petitioner present in person.

versus

STATE & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP.
SI Neeraj, PS Burari.
Mr.Irshad, Mr.V.S. Pankaj,
Advs. for the complainant along
with the complainant in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
26.04.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 236/2012 registered at Police Station: Burari, North District, Delhi under Section 420 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioner submits that the disputes between the parties arose out of a commercial transaction between them. He submits that both the parties have arrived at a compromise/settlement and pursuant thereto, a banker's cheque for a sum of Rs.4,50,000/- in favour of the complainant has been given by



the petitioner.

3. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). He reaffirms the settlement and states that he has settled all the disputes with the petitioner out of his own free will and without any coercion. The respondent no.2 further states that he has received all the money in pursuance of the settlement and has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and also the settlement between the parties.

5. Keeping in view the fact that the respondent no.2 does not wish to pursue his complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

7. Accordingly, the petition is allowed. FIR No. 236/2012 registered at Police Station: Burari, North District, Delhi under



Section 420 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

8. The pending application is also disposed of being rendered infructuous.

NAVIN CHAWLA, J

APRIL 26, 2024/rv/AS

Click here to check corrigendum, if any