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

+ **CRL.M.C. 4209/2024**

VIKAS SINHA AND ORS.

.....Petitioners

Through: Counsel (appearance not given)

versus

STATE (NCT OF DELHI) AND ORS.

.....Respondents

Through: Mr. Tarang Srivastava, APP for the
State with SI Naveen Kumar, PS
Mehrauli.

Mr. Rajesh Kumar, SPP with Ms.
Mishika Paudita, Advocates.

Mr. Kunal Kishore, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

04.10.2024

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By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioners seek quashing of case FIR No.155/2019 dated 27.02.2019 registered under sections 420/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Mehrauli, New Delhi.

2. The petition is premised on Compromise Deed dated 18.04.2024 whereby petitioners Nos.1 to 3 and respondent No.3 have resolved the matter amicably.
3. Pursuant to order dated 22.05.2024, Amended Memo of Parties dated 23.05.2024 has been filed by the petitioners which adds Sunil Dubey, Poonam Dubey (subsequent purchaser of the subject property) and Ashok Kumar as co-petitioners in the case.
4. The parties have also placed on record Compromise Deed dated 24.05.2024, which is in the nature of an addendum to Compromise



Deed dated 18.04.2024 whereby all the petitioners and respondent No.3 have resolved the matter amicably.

5. The petition is also supported by affidavits of the petitioners and of respondent No.3, alongwith proof of their IDs.
6. The petitioners are present in court and respondent No.3 has joined the proceedings *via* video-conferencing from Patna, Bihar. Their credentials have been verified and they have also been identified by their respective counsel.
7. Mr. Tarang Srivastava, learned APP appearing for the State points-out however, that there is nothing on record to verify the 'title' of the property that was subject matter of the dispute.
8. The court has interacted with respondent No.3, as also with the petitioners, who have confirmed that they have now resolved the matter and Compromise Deed dated 18.04.2024 and Compromise Deed dated 24.05.2024 have been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
9. Mr. Srivastava confirms that the State has no objection to the subject FIR being quashed; but the State has not verified the title of the subject property.
10. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement



between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

11. Accordingly, case FIR No.155/2019 dated 27.02.2019 registered under sections 420/34 of the IPC at P.S.: Mehrauli, New Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.
14. However, it is clarified that nothing in this order quashing the subject FIR shall be construed as an expression of opinion by the court on the 'title' of the subject property or its transfer *inter-se* the parties.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 4, 2024

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