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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4263/2024**
RAGHUVANSH PRASAD KASHYAP Petitioner
Through: **Dr.Narendra Hudda, Adv. with**
petitioner
versus

GOVT. OF NCT OF DELHI. & ANR. Respondents
Through: **Mr.Aman Usman, APP with SI**
Dilip Kumar.
Ms.Ritika, Adv. for R-2 with R-
2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

% **ORDER**
22.05.2024

CRL.M.A. 16173/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4263/2024 & CRL.M.A. 16172/2024

2. 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.257/2022 registered at Police Station: Saket, South District, New Delhi, under Sections 420/406 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, based on a settlement.

3. Issue Notice.

4. Notice is accepted by Mr.Aman Usman, learned APP, on behalf of the respondent no. 1 and by Ms.Ritika, Advocate on behalf of the respondent no.2.

5. The learned counsel for the petitioner submits that the present FIR



has been registered on account of a commercial dispute which arose due to some misunderstandings between the parties, that are, petitioner and the respondent no.2.

6. The learned counsel for the petitioner submits that the parties have thereafter amicably settled their disputes and in pursuance of the same have executed a Memorandum of Understanding dated 18.03.2024 (in short 'MoU').

7. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that he has settled all the disputes with the petitioner of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

8. I have perused the contents of the FIR, MoU and have also interacted with the parties.

9. As the parties have settled their *inter se* disputes, in my view no useful purpose shall be served in continuing with the proceedings of the present FIR as it would lay an unnecessary burden on the State exchequer and cause further acrimony between the parties.

10. 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 and in the peculiar facts of the present case, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.



11. Accordingly, the petition is allowed. FIR No.257/2022 registered at Police Station: Saket, South District, New Delhi, under Sections 420/406 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MAY 22, 2024/Arya/am

Click here to check corrigendum, if any