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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3955/2022

SHRI SAMDEV DASGUPTA & ORS.

..... Petitioners

Through: Ms.Gurmeet Bindra &
Mr.Humraz Bir Singh, Advs.
along with petitioner in persons.

versus

STATE & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP.
SI Arun Kumar, DIU/SD.
Mr.Vidit Gupta, Ms.Harleen
Singh, Mr.Harkeerat Singh &
Mr.Manoranjan Chaturvedi,
Advs. for R-2.
Respondent no.2 present
through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

16.04.2024

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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. 198/2016 registered at Police Station: Chitranjan Park, South-East District, Delhi under Sections 420/467/468/471/34 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 petitioners submits that the disputes between the parties arose out of some petty issues between the parties relating to some commercial dispute. He submits that the parties have



amicably settled their *inter se* disputes and have entered into a settlement vide Memorandum of Understanding dated 29.04.2017.

3. The respondent no.2 is present in Court through VC and has been duly identified by the Investigating Officer (IO). She reaffirms the settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she 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 her 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. 198/2016 registered at Police Station: Chitranjan Park, South-East District,



Delhi under Sections 420/467/468/471/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.15,000/- each, jointly or severally, with the Blind Relief Association, Delhi, State Bank of India, IOC Branch, Lodhi Road, New Delhi, Account No.30003044419, IFS Code: SBIN0006564 within a period of four weeks from today, and file the proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

APRIL 16, 2024/rv/AS

[Click here to check corrigendum, if any](#)