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

+ **W.P.(CRL) 1673/2024**

ADITYA KHANNA

..... Petitioner

Through: Mr.Vaibhav Sinha, Adv. with
petitioner

versus

STATE OF NCT OF DELHI AND ANR. Respondents

Through: Mr.Amol Sinha, ASC (Crl),
Mr.Kshitiz Garag, Mr.Ashvini
Kumar, Ms.Chavi Lazarus,
Advs. with SI Sandeep.
Mr.Kamal Saxena, Adv. for R-
2.
Respondent no.2 (through VC)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **24.05.2024**

CRL.M.A. 16302/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed under Article 226 of the Constitution of India, read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.97/2019 registered at Police Station: DBG Road, New Delhi, under Sections 408/420 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.Amol Sinha, learned ASC (Crl) on



behalf of the respondent no. 1 and by Mr.Kamal Saxena, Advocate on behalf of the respondent no.2.

5. The learned counsel for the petitioner submits that the parties are relatives and were having family and business dealings with each other since decades. The respondent No. 2 and her family members also used to take the Services of the Petitioner as per their needs and requirements. However, during the course of those services, some disputes arose between the petitioner and the respondent No. 2 and due to which the present FIR was registered.

6. The parties have thereafter entered into an amicable settlement and in pursuance thereof, have executed a Settlement Deed dated 03.04.2024.

7. The respondent no.2, who is present in Court (through VC) and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner 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.

8. I have perused the contents of the FIR, the Settlement and also have 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 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.97/2019 registered at Police Station: DBG Road, New Delhi, under Sections 408/420 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MAY 24, 2024/Arya/am

Click here to check corrigendum, if any