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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4119/2022 & CRL.M.A. 17003/2022**
NAVEEN BATRA

..... Petitioners

Through: Dr.Suraj Singh and Mr.Shivam
Sachdeva, Advs.

versus

THE STATE AND ORS.

..... Respondents

Through: Mr.Aman Usman, APP with SI
Rahul Rathi
Respondent nos.3 and 5 in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
20.05.2024

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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.176/2011 registered at Police Station: Sangam Vihar, South East District, New Delhi under Sections 420/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), on the basis of the settlement, along with all other proceedings emanating therefrom.

2. The learned counsel for the petitioners submits that the parties, that is, the petitioners and the respondent nos.3 and 5 have amicably settled their *inter se* disputes.

3. The respondent nos.3 and 5, who are present in Court and have been duly identified by the Investigating Officer (IO), do not oppose the present petition and reaffirm that the disputes have been amicably settled



out of their own free will and without any coercion, and submit that they have no objection if the present FIR is quashed.

4. The learned counsel for the petitioners undertakes that the remaining sum of Rs.40,000/- shall be paid to the respondent no.3 and Rs.30,000/- to the respondent no.5 within a period of one week from today. The petitioners are bound by the statement made.

5. As far as the respondent no.4 is concerned, the learned counsel for the petitioners submits that amount invested by the respondent no.4 was Rs.5,000/- and he has unfortunately died during the pendency of the proceedings. The details of his legal heirs are not known. The IO, who is present in Court, also confirmed the same and stated that, in spite of efforts made, the legal heirs of the respondent no.4 are not traceable.

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

7. Keeping in view the fact that the disputes have been amicably settled between the petitioners and the respondent nos.3 and 5 and the respondent nos.3 and 5 do not wish to pursue their complaint any further, I find that no useful purpose will be served in continuing with the proceedings of the above FIR; it would rather create further acrimony between the parties and would be an unnecessary burden on the State Exchequer.

8. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335 and *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, 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.

9. Accordingly, the petition is allowed. Consequently, FIR No.176/2011 registered at Police Station: Sangam Vihar, New Delhi under Sections 420/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the petitioners being bound by their statement recorded above and also depositing further, a sum of Rs.50,000/-, either jointly or severally with the “*NDBA Members Welfare Fund*” [Account No.18580110013847], within a period of four weeks from today, and filing proof of such deposit with the Registry of this Court and also supplying a copy thereof to the IO, within the said period.

NAVIN CHAWLA, J

MAY 20, 2024/ns/am

Click here to check corrigendum, if any