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

+ **CRL.M.C. 4537/2024**

COL HARENDRA PAL SINGH (RETD) Petitioner

Through: Adv. Anish Dhingra &
Adv. Nakul Ahuja along
with petitioner in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Pradeep Gahalot, APP
for the State.
SI Ram Avtar, PS Hauz
Khas.
Adv. Adhirath Singh, Adv.
Raymon Singh, Adv.
Aditya Varun & Adv.
Vivek for R-2. R-2
through V.C.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **29.05.2024**

CRL.M.A. 17101/2024 (seeking exemption from filing certified copies)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No.57/2012 dated 27.02.2012, registered at Police Station Hauz Khas for offence under Section 420 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered on a complaint given by Respondent No. 2.

4. The chargesheet was filed under Sections

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420/406/120B/34 of the IPC against Madhuri Kapur Singh and Harender Pal Singh.

5. It is submitted that the present FIR was registered on a complaint given by Respondent No. 2 against late Madhuri Kapur Singh, Harender Pal Singh, Girish Rautela, Bhagirathi Rautela & R.S. Rautela alleging that her sister Madhuri Kapur Singh has committed criminal breach of trust, forgery, perjury, given false evidence and actively committed criminal conspiracy etc. in connection with family home bearing no. 109, SFS, Hauz Khas which was jointly owned by her and her sister Madhuri Kapur Singh. Her sister – Madhuri Kapur Singh illegally sold the said property to one Mr. Girish Routela and his mother Mrs. Bhagirathi Routela claiming that she is the sole legal heir and hence the sole owner of the entire property.

6. The learned counsel for the parties submit that the parties were referred to the Delhi High Court Conciliation and Mediation Centre for exploring possibility of settlement by order dated 12.12.2023 passed by this Court in Crl. Rev. No. 1159/2023. They submit that with the intervention of the Delhi High Court Conciliation and Mediation Centre, the parties have resolved all their disputes by way of a Settlement Agreement dated 05.04.2024.

7. The learned counsel for the petitioner submits that the chargesheet in the present case was filed against Madhuri Kapur Singh and Harender Pal Singh, however, Madhuri Kapur Singh expired during the pendency of the case.

8. The petitioner is present in person and complainant is present through Video Conferencing and have been duly identified by the Investigating Officer.

9. The complainant, on being asked, states that he has no



objection if the proceedings relating to present FIR are quashed.

10. Offences under Sections 420/406 of the IPC are compoundable in nature.

11. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 482 of the CrPC.

12. However, keeping in mind the fact that the charges have already been framed in the case arising out of FIR No.57/2012, and the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.

13. In view of the above, FIR No.57/2012 and all consequential proceedings arising therefrom are quashed, subject to payment of a total cost of ₹20,000/- by the petitioner, out of which ₹10,000/- is to be deposited with the Delhi High Court Bar Association and ₹10,000/- is to be deposited with Delhi Police Welfare Fund within a period of eight weeks from date. The proof of deposit of cost be submitted to the concerned SHO.

14. The present petition is allowed of in the aforesaid terms.

AMIT MAHAJAN, J

MAY 29, 2024 / "SK"