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

+ CRL.M.C. 4734/2024 & CRL.M.A. 17663/2024 (stay)

JOHNSON LIFTS PRIVATE LIMITED & ANR. Petitioners

Through: Mr. Mayank Mikhail Mukherjee and
Mr. Ujjwal Singh, Advocates
alongwith petitioners in person.

versus

GOVERNMENT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Hemant Mehla, APP for the
State.
SI Mamchand, PS Shastri Park Metro.
Mr. Mohit A., Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

31.05.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 22/2018, under Sections 338/34 of the IPC, registered at P.S. Shastri Park Metro and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Prigya Gupta, learned ACMM, (North East), Karkardooma Courts, Delhi.

2. Learned counsel appearing on behalf of the petitioners submits that the matter has been settled between the parties *vide* settlement agreement dated 30.01.2024 and in pursuance of the same respondent no. 2 has no objection if the present FIR is quashed against the petitioners. The copy of the aforesaid settlement deed dated 30.01.2024 is on record (Annexure P-11). Further, as per the settlement deed, petitioners have agreed to pay a sum



of Rs. 2,00,000/- to respondent no. 2 and the same amount has been paid to him in court today, by means of a demand draft.

3. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Mamchand, PS Shastri Park Metro.

4. A demand draft bearing no. 795814 dated 15.05.2024 for Rs. 2,00,000/- drawn on State Bank of India, Anna Nagar West Extension, Chennai Branch has been handed over to complainant/Respondent No.2, who acknowledges the receipt of the same.

5. The complainant/respondent No.2 states that the matter has been settled with the petitioners and he has no objection if the FIR is quashed. He further states that all the terms of the agreement have been complied with.

6. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

7. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

8. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 22/2018, under Sections 338/34 of the



IPC, registered at P.S. Shastri Park Metro and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Prigya Gupta, learned ACMM, (North East), Karkardooma Courts, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 22/2018, under Sections 338/34 of the IPC, registered at P.S. Shastri Park Metro and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Prigya Gupta, learned ACMM, (North East), Karkardooma Courts, Delhi, is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 31, 2024/sn

Click here to check corrigendum, if any