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

+ **W.P.(CRL) 2560/2019**

RAMAN ARORA

..... Petitioner

Through: Mr. C.M.Grover and Ms. Parul
Budhiraja, Advocates.
Petitioners through VC.

versus

STATE & ORS

..... Respondents

Through: Ms. Nandita Rao, ASC (criminal) for
the State with Mr. Amit Peswani,
Advocate.
Insp. Randheer Kumar Ravi, PS Civil
Lines.
Mr. Sunil Singh, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

03.05.2024

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CRL.M.A. 12302/2024 (to bring settlement agreement on record)

1. The present application under Section 482 of the CrPC seeks following prayers:-

“It is, therefore, most respectfully prayed that this Hon’ble Court may pleased to:-

(a) bring on record the settlement agreement dated 07.03.2024 arrived between the petitioner, respondent no. 2 and Smt. Kavita Tyagi;

(b) Disposal of the present crl. writ petition whereby quash the FIR No. 63/19 PS Civil Lines u/s 384/467/468/471 IPC dated 27.03.2019 on the basis of compromise arrived between the parties which reduced into writing vide settlement agreement dated 07.03.2024;

(c) Pass such order and order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of this case.”

2. Issue notice.



3. Learned ASC for the State accepts notice and does not oppose this application.
4. In the interests of justice, the application is allowed and disposed of accordingly.
5. The settlement agreement dated 07.03.2024 is taken on record.

CRL.M.A. 13519/2024 (to bring on record amended memo of parties)

6. The present application under Section 482 of the CrPC seeks following prayers:-

“It is, therefore, most respectfully prayed that this Hon’ble Court may pleased to:-

(a) to amend the memo of parties and to bring on record the name of Parul Chopra as petitioner no. 2 on behalf of the applicant namely Parul Chopra;

(b) Pass such order and order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of this case.”

7. Issue notice.
8. Learned ASC for the State accepts notice and does not oppose the present application.
9. In the interests of justice, the application is allowed and disposed of accordingly.
10. The amended memo of parties is taken on record.

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11. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 63/2019, under Sections 384/467/468/471 of the IPC, registered at P.S. Civil Lines and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Goyal, learned Metropolitan Magistrate-06, (Central), Tis Hazari Courts, Delhi.



12. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the present petition, petitioners no. 1 and 2 have resolved their disputes with respondent no. 2 and in pursuance of the same respondent no. 2 has no objection if the present FIR is quashed against the petitioners alongwith all other consequent proceedings emanating therefrom. It is further submitted that in pursuance of the said settlement agreement dated 07.03.2024, civil suits between the parties have also been disposed of accordingly.

13. Learned counsel has drawn the attention of this Court to an order dated 20.03.2024 passed by learned ADJ-01, Tis Hazari Courts, Delhi in CS NO. 1333/18 and submits that the original gift deeds dated 11.11.2014 have been handed over to the respondent no. 2 for the purposes of presenting the same for cancellation before the office of concerned Sub-Registrar and original demand draft bearing No. 056750 dated 05.03.2024, HDFC Bank, Darya Ganj, New Delhi for an amount of Rs. 50 Lakhs has been handed over by the respondent no. 2 to the petitioner. It is further submitted that the parties have undertaken to abide by their reciprocal obligations as per the terms of the said settlement.

14. Complainant/respondent no. 2 is present before the Court and petitioners are present through video conferencing and have been duly identified by the Investigating Officer, Insp. Randheer Kumar Ravi, PS Civil Lines.

15. 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 alongwith the consequent proceedings.

16. Learned APP for the State submits that investigation in the present



FIR is complete and chargesheet has been filed before the court of competent jurisdiction. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and consequential proceedings emanating therefrom is quashed.

17. 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.”

18. 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. 63/2019, under Sections 384/467/468/471 of the IPC, registered at P.S. Civil Lines and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Goyal, learned Metropolitan Magistrate-06, (Central), Tis Hazari Courts, Delhi.

19. In the interest of justice, the petition is allowed, and the FIR No. 63/2019, under Sections 384/467/468/471 of the IPC, registered at P.S. Civil Lines and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Goyal, learned Metropolitan Magistrate-06, (Central), Tis Hazari Courts, Delhi, is hereby quashed.



20. The petition is allowed and disposed of accordingly.
21. Pending application(s), if any, also stand disposed of.
22. Date already fixed, i.e., 20.05.2024, stands cancelled.

AMIT SHARMA, J

MAY 03, 2024/sn

Click here to check corrigendum, if any