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

+ **CRL.M.C. 4978/2024**

ROHIT JAIN

.....Petitioner

Through: Mr. Sumit Kumar Khatri, Advocate.

versus

**GOVT.OF NCT OF DELHI,THROUGH SHO,P.S.PREET VIHAR &
ANR.**

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Maya, PS Preet Vihar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **03.07.2024**

CRL.M.A. 19033/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4978/2024, CRL.M.A. 19034/2024

1. The Petitioner has approached this Court by filing the instant petition under Section 482 CrPC for quashing of FIR No.12/2024 dated 13.01.2024 registered at Police Station Preet Vihar for offences under Section 406 IPC.
2. The facts of the case reveal that the FIR was lodged at the instance of Respondent No.2 herein. The FIR was registered on the ground that the Petitioner herein took the BMW car of the Respondent No.2 and did not return it back.
3. The present Petition has been filed on the ground that the parties have settled the matter. A copy of the settlement deed dated 28.05.2024 has been placed on record along with the petition as Annexure – P-5.

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4. The complainant/respondent No.2 has also filed an affidavit (page No.28 of the paper book) affirming the fact that the dispute and the grievances of the complainant against the petitioner in the abovementioned FIR stands settled. It is also stated that the complainant does not have any objection if the present FIR against the petitioners is quashed as she has already settled the dispute with the petitioners.

5. Today, the parties are present in Court. The Petitioner and the Respondent No.2 have been identified by the Investigating Officer. The Complainant/Respondent No.2 states that he has settled all the disputes with the Petitioner out of his own free will, without pressure, coercion or undue influence, and states that he does not want to pursue the present case any further. He requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement and the proceedings recorded before this Court.

6. The parties, who are present in Court today, understand the implication of the present proceedings. In view of the fact that the instant case is squarely covered by the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303 and in view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, FIR No.12/2024 dated 13.01.2024 registered at Police Station Preet Vihar for offences under Section 406 IPC, and the proceedings emanating therefrom, are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

7. The petition stands disposed of in above terms along with all the



pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 03, 2024

Rahul