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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5124/2022, CRL.M.A. 20498/2022 & CRL.M.A. 26923/2022**

MS. YENKI OREYA

.....Petitioner

Through: Ms. Rachitta Rai, Mr. Pandey Sangeet Rai & Mr. Shehan Ashraf, Advocates.
Petitioner-in-Person
alongwith her Husband/Mr. Amit Kumar Upadhyay
(Both Through V.C.).

versus

STATE & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State.
Respondent No.2-in-Person.
Inspector Vikas Malik
(P.S. Mansarovar Park).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

20.12.2024

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1. The present petition is filed seeking quashing of FIR No. 375/2017 dated 29.10.2017, registered at Police Station Mansarovar Park, for offence under Section 420/34 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered on a complaint filed by Respondent No.2.

2. It is stated that the chargesheet has been filed in the present case.

3. The FIR was registered on a complaint alleging that the accused, Varun Sharma, met the complainant and offered the complainant's nephew a job in ONGC. It is alleged that the

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accused asked Respondent No.2/complainant to arrange ₹5,00,000/- as a security amount for the purpose of getting the job. The complainant alleged that in the month of March, 2016, a sum of ₹3,00,000/- was handed over to accused, Varun Sharma and his associate petitioner.

4. The learned counsel for the petitioner submits that the petitioner was unnecessarily implicated in the present case.

5. She submits that the petitioner was only friends with the accused, Varun Sharma and was accompanying him at some stage when the accused, Varun Sharma met the complainant.

6. She submits that no role has been attributed to the petitioner and even as per the case of the prosecution, the amounts were transferred in accused, Varun Sharma's account.

7. She submits that the complainant has since realized his mistake and has entered into a Memorandum of Settlement dated 14.09.2022 on their own free will, without any undue pressure, force, or coercion.

8. In terms of the Memorandum of Settlement Deed dated 14.09.2022, out of total settlement amount of ₹2,50,000/-, a sum of ₹1,50,000/- stands already paid to Respondent No.2, and the balance settlement amount of ₹1,00,000/- is paid today by way of Demand Draft bearing no.046379 dated 18.12.2024 drawn on State Bank of India.

9. The petitioner appears through video conference whereas Respondent No.2 is present in person before this Court today and they have been duly identified by the Investigating Officer. Respondent No.2/complainant submits that the petitioner has otherwise compensated him with a sum of ₹2,50,000/- and he is satisfied with the said compensation. He states that he has no objection if the proceedings arising out of the present FIR are



quashed in regard to the petitioner.

10. Offence under Section 420 of the IPC is compoundable.
11. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.
12. 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.
13. In view of the above, petitioner is discharged in the case arising out of FIR No.375/2017, subject to payment of cost of ₹20,000/- (Rupees Twenty Thousand only) by the petitioner, to be deposited with the Delhi Police Welfare Society, within a period of eight weeks from date.
14. Let the proof of deposit of cost be submitted with the concerned SHO.
15. The present petition is allowed in the aforesaid terms.
16. It is made clear that this Court has not impeded the learned Trial Court from proceeding against other accused persons.
17. Pending application(s) also stands disposed of.

AMIT MAHAJAN, J

DECEMBER 20, 2024

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