



\$~23

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5154/2022**
GURJINDER SINGH GUJRAL

..... Petitioner

Through: Mr.Sachin Tandon, Adv. along
with the petitioner.

versus

STATE & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP.
SI Ravindra Kumar,
DIU/Central District.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

06.03.2024

%

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.57/2007 registered at Police Station: Patel Nagar under Sections 380/420/468/471/506 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. It is the case of the petitioner that immediately after the registration of the abovementioned FIR, the parties entered into a settlement and executed a Settlement Agreement dated 03.02.2007, whereunder the complainant received a sum of Rs.16,50,000/-. The petitioner was also granted anticipatory bail based on the settlement, vide order dated 24.04.2007 passed by the then learned Additional



Sessions Judge, Delhi.

3. It is stated that the anticipatory bail was sought to be cancelled, however, the said application was dismissed.

4. The petitioner also filed an earlier petition seeking quashing of the FIR being CRL.M.C. 3436/2008 titled as ***Gurjinder Singh Gujral v. State & Anr.***, however, the same was dismissed as the respondent no.2 was not appearing in the said petition.

5. Later, on 23.06.2022, respondent no.2 had appeared before the Court of learned Additional Chief Metropolitan Magistrate, Tis Hazari Court, Delhi in the criminal case registered on basis of the abovementioned FIR, and undertook to cooperate with the petitioner in getting the present FIR quashed by this Court based on the settlement entered into between the parties.

6. For the last few dates, none has been appearing for the respondent no.2 in the present petition. It appears that respondent no.2 is not interested in pursuing his complaint against the petitioner and the matter between the parties has been amicably settled. Continuing such an FIR and criminal proceedings thereafter, would be a waste of time of the prosecution and the Court concerned. The FIR is of the year 2007; a period of more than 16 years has been passed; and even the charges have not been framed. I have also perused the contents of the FIR and also the settlement between the parties and do not find any reason not to quash the above FIR on basis of the settlement arrived at between the parties.

7. Keeping in view the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10



SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*, (2017) 9 SCC 641; and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. FIR No.57/2007 registered at Police Station: Patel Nagar under Sections 380/420/468/471/506 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MARCH 6, 2024/rv/ss

Click here to check corrigendum, if any