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

+ **CRL.M.C. 5047/2024**

NIRANJAN ALIAS NIRANJAN SINGH AND ORS.

.....Petitioners

Through: Mr. Manish Kumar, Mr. C.B. Garhi,
Advts. with the petitioners.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Deependra, PS Sonia Vihar
Mr. Yash Prakash Yadav, Adv. with
the respondent No.2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

03.09.2024

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1. The present petition has been filed under Section 482 Cr. CP seeking quashing of FIR No.374/2015 under Sections 420/467/468/471/120B IPC registered at PS Sonia Vihar on the basis of the settlement.
2. The FIR was lodged on the statement of Rohit Bhati against the (i) Niranjana s/o Ishwar Singh, (ii) Ishwar Singh S/o Narayan Singh, (iii) Moolchand @Bailshwar Chaudhary S/o Chhutan (iv) Ajab Singh S/o Atar Singh and others. On the complaint of Rohit Bhati alleging impression of forged documents, forcible possession, cheating and criminal intimidation. The dispute was predominantly regarding the property.
3. Learned counsel for the petitioner submits that the parties have entered into a settlement vide MOU dated 20.05.2024 which has been



attested on 21.05.2024

4. Learned APP has opposed the quashing petition on the ground that there are serious offences. He further submits that the charge sheet has already been filed.
5. The parties have settled the matter vide MOU dated 20.05.2024 which is attested on 21.05.2024 on following terms and conditions;

“And whereas both the parties have settled all their disputes and grievances amicably with each other with the intervention of respectable elders, well wishers and friends of both the parties and in terms of the settlement the second party have already made the payment of Rs.9,00,000/- (Rupees nine lakh to the first party) in respect of the present disputes and nothing is due between the parties and after receipt of the settlement amount, the first party will not claim any amount from the second party.

That as per amicable settlement, now the Complainant/ first party does not want to proceed with the above said case anymore against the second party and first party has no objection if the present FIR be quashed by the Hon'ble Delhi High Court.”

6. The Court has gone through the detailed comprehensive settlement arrived between the parties vide MOU dated 20.05.2024. As per the settlement arrived between the parties the Petitioner has already paid an amount of Rs. 9,00,000/- to the Complainant/Respondent No2.
7. IO has identified both the parties.
8. It is settled that the inherent powers under section 482 of the Code of Criminal Procedure, 1973 are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement



between the concerned parties. Therefore, reliance can be placed on *State of M.P. v. Laxmi Narayan & Ors.* (2019) 5 SCC 688, wherein the Supreme Court inter alia held that proceedings of civil character arising out of commercial transactions that have been settled amicably can be quashed under the inherent power of this Court

9. Since it was a civil dispute which has been settled amongst the parties, the Complainant is present in the court and states that he has entered settlement voluntarily without fear, force or coercion.
10. In view of the above, FIR No.374/2015 under Sections 420/467/468/471/120B IPC registered at PS Sonia Vihar is quashed subject to the cost of Rs.20,000/- to be deposited by the petitioners in Advocates Welfare Fund.
11. The compliance report be filed.

DINESH KUMAR SHARMA, J

SEPTEMBER 3, 2024

Pallavi/DG