



\$~54

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7049/2023**

PRAVEEN SAINI

..... Petitioner

Through: Mr. Anup Kumar D. Sayare,
Advocate with petitioner in person.

versus

STATE & ORS.

..... Respondents

Through: Mr. Laksh Khanna, APP for State
with SI P.R. Hooda, P.S. IGI Airport
and W/SI Kashish, P.S. Dwarka
North.
Respondent Nos. 2 and 3 in person
through V.C. alongwith their counsel.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
13.05.2024

%

1. The present proceedings are instituted under Section 482 Cr.P.C. seeking quashing of FIR No. 27/2018 registered under Sections 420/471 IPC at P.S. Dwarka North, Delhi on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR relate to fraud and forgery committed by the petitioner with respect to certain documents.
3. Mr. Khanna, learned APP for the State, on instructions, submits that the petitioner is the only accused person and respondent Nos.2 and 3 are the complainants/victims in the present case.
4. Learned counsel for the petitioner submits that the parties have



amicably settled their disputes which factum also finds mentioned in the order dated 19.03.2018 passed in SLP (C) No. 5515/2018, a copy of which has been placed on record. In terms of the said settlement, complainants are now left with no claim or grievance against the petitioner.

5. Petitioner, who is present in Court, and respondent Nos. 2 and 3, who have joined the proceedings through VC, have been identified by their counsel as well as the IO/SI P.R. Hooda, P.S. IGI Airport and W/SI Kashish, P.S. Dwarka North.

6. Petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent Nos. 2 and 3 state that they have settled their disputes with the petitioner out of their own free will, volition and without any coercion. They further state have no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In Parbatbhai Aahir and Others v. State of Gujarat and Another reported as **(2017) 9 SCC 641**, it has been held as under:-

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

xxx

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing in so far as the exercise of the inherent power to quash is concerned;

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute;



16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and...”

9. Similarly, in State of Madhya Pradesh v. Laxmi Narayan and Others reported as **(2019) 5 SCC 403**, it has been held as under:-

“15. Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:

15.1. That the power conferred Under Section 482 of the Code to quash the criminal proceedings for the non-compoundable offences Under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;”

10. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

11. With the above directions, the petition is disposed of.

12. Copy of the order be communicated to the concerned Trial Court for information.

MANOJ KUMAR OHRI, J

MAY 13, 2024

ga