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

+ **CRL.M.C. 5117/2024**

TEJINDER SINGH @ MONU AND ANR.Petitioners

Through: Mr. Anis Mohammad, Advocate with
petitioners in person.

versus

THE STATE AND ORSRespondents

Through: Mr. Hemant Mehla, APP for State.
Mr. Aseem Nayyar, Advocate for
R-4.
S.I. Sunil Verma, PS Kalkaji.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **08.07.2024**

CRL.M.A. 19539/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 5117/2024

3. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 256/2011 registered under Sections 420/467/468/471/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Kalkaji, Delhi.
4. Issue notice.
5. Mr. Hemant Mehla, learned Additional Public Prosecutor appearing



on advance notice, accepts notice on behalf of the State.

6. Mr. Aseem Nayyar, learned counsel appearing on advance notice, accepts notice on behalf of the respondent No. 4.

7. It is submitted in the petition that the petitioners have amicably settled all their disputes and have duly paid the amounts due to the respondent Nos. 2 to 5 way back in 2011.

8. It is further submitted that on 26.07.2011 on the complaint of respondent No. 2, an FIR No. 256/2011 registered under Sections 420/467/468/471/406/34 of the IPC, 1860 at Police Station Kalkaji, Delhi.

9. It is also submitted that the parties, with the mutual consent, have amicably settled all the disputes and differences between them *vide* Settlement/Compromise Deed dated 25.05.2024 which *inter alia* states that: -

- (i) That the petitioner No. 1 had already made the payments to the respondent No. 2 and same has been acknowledged by him,
- (ii) That the petitioner No. 1 shall file a fresh quashing petition,
- (iii) That the parties shall not file any further complaints and the complaints, if any, already filed, shall be withdrawn by them,
- (iv) That the parties shall remain bound by the terms of the settlement.

10. It is submitted that the respondent No. 4 is represented through his son, who is present in the Court who also endorses the terms of the Settlement/Compromise Deed dated 25.05.2024 and submits that the money has been received from the petitioners and there is no objection if the present petition is allowed.

11. It is a case of 2011 involving about a sum of Rs. 4,00,000/- and



apparently, four cheques had been used by the petitioners to make payments to the respondent No. 2 and other respondents who all are party to the present petition.

12. The respondents submit that they had received their amounts way back in 2011 and they have no objection if the present petition is allowed.

13. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the Settlement/Compromise Deed dated 25.05.2024 and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

14. Considering that the FIR is of 2011 and till date only one witness has been examined by the prosecution and also the parties have settled their disputes *vide* Settlement/Compromise Deed dated 25.05.2024.

15. In view of the Settlement/Compromise Deed dated 25.05.2024, the present petition has been filed.

16. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

17. The parties have submitted that all the disputes have been amicably settled *vide* Settlement/Compromise Deed dated 25.05.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

18. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement/Compromise Deed dated 25.05.2024 and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

19. Today, the respondents, who are present in Court, state that they have



settled all the disputes and they have no objection if the FIR is quashed.

20. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

21. Moreover, there is no legal impediment in quashing the FIR in question.

22. Accordingly, FIR No. 256/2011 registered under Sections 420/467/468/471/406/34 of the IPC, 1860 at Police Station Kalkaji, Delhi for offences punishable under Sections 420/467/468/471/406/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

23. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 8, 2024

S.Sharma