



\$~77

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

+ **W.P.(CRL) 2106/2024**

VISHAL KURNAR RAI

.....Petitioner

Through: Mr. Vipin Dilawari & Mr.
Vipin Tyagi, Advs. along
with petitioner.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Ms. Nadita Rao, ASC
(CRL) for State (GNCTD)
with Mr. Amit Peswani,
Adv.
SI Shiv Singh, PS Lodhi
Colony.
Respondent No. 2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

15.07.2024

CRL.M.A. 20415/2024 (*exemption from filing of certified copies
of annexures/documents*)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2106/2024

3. The present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No. 126/2022 dated 22.06.2022, registered at Police Station Lodi Colony, for offence under Sections 420/34 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered on a complaint

W.P.(CRL) 2106/2024

Page 1 of 3



given by Respondent No. 2.

4. It is averred that the petitioner is the owner of M/s. Country Inn Holidays & Suites Pvt. Ltd. (hereafter '**CIHS**'). It is alleged that Respondent No.2 had paid a sum of ₹1,40,000/- to CIHS for the purpose of 10 years membership, however, it was later found that the Hotels/properties shown to Respondent No.2 in the presentation were not actually a part of the hotel packages and not available to the members. It is alleged that the petitioner and other managers of the sales team of CIHS had deliberately made fraudulent misrepresentations and claims to lure Respondent No.2 to become a member.

5. The present petition is filed on the ground that with the intervention of friends and well-wishers, the matter is amicably settled between the parties of their own free will, without any coercion, pressure, undue influence, force, misrepresentation or mistake and a Memorandum of Understanding dated 01.03.2023 has been signed by the parties to this effect.

6. It is stated that the terms of the settlement have been complied with and the settlement amount of ₹1,40,000/- has been paid to Respondent No. 2.

7. The parties are present in person and have been duly identified by the Investigating Officer.

8. The complainant, on being asked, states that she has received the settlement amount and she does not wish to pursue any proceedings arising out of the present FIR. She submits that she has no objection if the present FIR is quashed.

9. Offence under Section 420 of the IPC is compoundable.

10. 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.

11. 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.

12. In view of the above, FIR No.126/2022 and all consequential proceedings arising therefrom are quashed.

13. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

JULY 15, 2024

“SK”