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

+ CRL.M.C. 7508/2023

MS RAJNI

..... Petitioner

Through: Mr. Pawan Kaushik, Mr. Akash
Kakade, Ms.Divya & Mr. Ajeet Kumar,
Advocates with petitioner in person

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Vishwa Pratap
Respondent Nos.2 to 8 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

23.04.2024

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1. The present petitions have been filed under Section 482 Cr.P.C. seeking quashing of FIR No.272/2015 registered under Section 420 IPC at P.S. Bharat Nagar on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR pertain to fraud and cheating of amounts on the pretext of providing loans.
3. Learned APP for the State submits that in the present case the petitioner is the only accused and respondent Nos.2 to 8 are the complainants/victims.
4. Learned counsel for the petitioner submits that the parties have reached an amicable settlement vide Compromise Deed dated 18.12.2019. In terms of the settlement, respondent Nos. 2 to 8 are now left with no claim whatsoever against the petitioner.



5. The petitioner, who is present in the Court, has been identified by her counsel and the Investigating Officer. Respondent Nos. 2 to 8, who are also present in the Court, have been identified by the Investigating Officer.
6. Respondent Nos. 2 to 8 state that they have entered into the aforesaid compromise deed out of their own free will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.
8. The parties shall remain bound by the statements made in Court today.
9. 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:

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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...”



10. 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;”

11. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed against the present petitioner only, subject to payment of cost of Rs.10,000/- by the petitioner to be deposited with the Delhi State Legal Services Authority, A/c No.: 18580110053263, Bank : UCO BANK, Branch : Rouse Avenue, IFSC : UCBA0003364 within a period of four weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

12. Proof evidencing receipt of deposit shall be filed with the I.O. In case the receipt of cost is not filed within the stipulated time, the I.O. shall be at liberty to move an appropriate application.

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

14. Let a copy of this order be communicated to the Member Secretary,



Delhi State Legal Services Authority for information.

APRIL 23, 2024

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MANOJ KUMAR OHRI, J