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

+ W.P.(CRL) 2948/2019

MS. KAVITA & ANR.

..... Petitioners

Through: Mr. Kartikey Yadav, Advocate
alongwith petitioner no. 1 & 2 in-
person.

versus

STATE & ANR.

..... Respondents

Through: Ms. Nandita Rao, ASC (Crl.) for the
State with Mr. Amit Peswani,
Advocate with S.I. Atul Prabhakar,
P.S.Sunlight Colony.
Mr. Sharique Hussain, Mr. Raghav
Awasthi, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.05.2024

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1. The present writ petition under Article 226 read with section 482 Cr.P.C. for quashing of FIR No. 0047/2018, under Sections 420/467/468/471 of the Indian Penal Code, 1860, registered as P.S. Sunlight Colony.
2. Learned counsel for the petitioners submits that during the pendency of investigation of the aforesaid FIR, parties have arrived at a settlement and respondent no.2/complainant has no objection if the present FIR is quashed. It is also pointed out that the subject loan taken from HDFC Bank has since been closed and loan closure letter dated 06.01.2020 has been placed on record.
3. Learned counsel appearing on behalf of respondent no. 3/HDFC Bank submits that the loan account has since been closed.



4. The petitioners and respondent no. 2 are present before the Court and have been duly identified by their respective counsels, as well as the Investigating Officer, S.I. Atul Prabhakar, P.S. Sunlight Colony.

5. The respondent no.2/complainant states that the matter has been settled with the petitioners and has no objection if the FIR is quashed against the petitioners and further states that all the terms are complete and nothing remains with respect to the agreement arrived at between the parties.

6. Learned APP for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned APP for the State also has no objection, if the present FIR is quashed.

7. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

8. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0047/2018, under Sections 420/467/468/471 of the Indian Penal Code, 1860, registered as P.S. Sunlight Colony.

9. In the interest of justice, the petition is allowed, and the FIR No.



0047/2018, under Sections 420/467/468/471 of the Indian Penal Code, 1860, registered as P.S. Sunlight Colony, is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 21, 2024/ab

Click here to check corrigendum, if any