



\$~76

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

+ **CRL.M.C. 5520/2024**

MOHAMMAD AKHTAR

.....Petitioner

Through: Mohd. Arif Hussain, Adv.
with petitioner in person.

versus

STATE, GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Ajay Vikram Singh,
APP for the State along
with Mr. Shivam Thapar,
Ms. Aliya Anjum, Mr.
Yatharth Nayyar, Mr.
Gaurav Soni, Mr. Siddhant
Singh & Mr. Aakash
Khatri, Advs.
SI Gulab Singh, ISC,
Crime Branch,
Chankyapuri, New Delhi.
R-2 through V.C.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

22.07.2024

CRL.M.A. 21055/2024 (*exemption from filing certified / legible
copies of the impugned notification and annexures*)

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

CRL.M.C. 5520/2024

3. The present petition is filed seeking quashing of FIR No. 34/2018 dated 10.02.2018, registered at Police Station Crime Branch for offences under Sections 420/120B of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom. The FIR was registered on a complaint filed
CRL.M.C. 5520/2024

Page 1 of 3



by Respondent No. 2.

4. It is averred that Respondent No.2 was approached by one seller namely, Tausheef Ahmad from Saharnapur for facilitating in the sale of one rare article, a Copper Bowl, which allegedly had miraculous properties. Respondent No. 2 approached a company running under the name of J.J. Group Antique International Pvt. Ltd. to perform the job of testing. The seller enquired from his own scientist about the genuineness of this company and ₹70 lakh was finalized as the cost of movement fee. The said amount was deposited on 31.05.2016 at the office of the company and the movement was finalized on 03.06.2016. However, Respondent No. 2 was not allowed to inspect or see the article on the pretext that it was highly radioactive and dangerous for health. Later, Respondent No. 2 came to know that this is an organized racket operated by the fake sellers and fake companies.

5. The present petition is filed on the ground that the matter is amicably settled between the parties by way of a Settlement Agreement dated 26.05.2024, of their own free will, without any pressure, coercion, threat or undue influence. It is stated that present FIR has already been quashed *qua* the other co-accused, namely, Toseef Ahmad, Aman Verma and Mithesh Kumar Vashisht *vide* order dated 19.09.2018 and 06.09.2023.

6. It is stated that in terms of the settlement dated 26.05.2024, the total settlement amount of ₹2,00,000/- has already been paid to Respondent No. 2.

7. Petitioner No. 1 is present in Court today and Respondent No. 2 has joined the proceedings through video conferencing. The parties have been duly identified by the Investigating Officer.

CRL.M.C. 5520/2024

Page 2 of 3



8. On being asked, Respondent No. 2 submits that he has received the total settlement amount and he does not wish to pursue the proceedings arising out of the present FIR. He states that he has no objection if the same is quashed.

9. Offence under Sections 420 of the IPC is compoundable in nature.

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 offences.

11. Keeping in view the nature of the 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. I am of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 482 of the CrPC.

12. In view of the above, FIR No.34/2018 and all consequential proceedings arising therefrom are quashed *qua* the petitioner.

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

AMIT MAHAJAN, J

JULY 22, 2024

“SK”