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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7976/2023**

PRABHAKER VIKRAM SINGH & ORS. Petitioners
Through: Ms. Arveen Sekhon and Mr. Gautam
Mann, Advocates with petitioners in
person.

versus

STATE (NCT OF DELHI) & ANR. Respondents
Through: Mr. Laksh Khanna, APP for State
with Insp. Raman Kumar and SI
Ombir, P.S. Cyber Cell, Outer North.
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
07.05.2024

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CRL. M.A. 13792/2024

1. By way of present application filed under Section 482 Cr.P.C., the petitioners seek to implead the other accused persons, namely *Anurag Kumar Singh* and *Vikas Kumar Maddeshiya* as petitioner Nos. 2 and 3 respectively.
2. Issue notice. Learned APP for the State accepts notice.
3. Considering the averments made in the application, the same is allowed, and above-named accused persons are impleaded as petitioner Nos. 2 and 3.
4. Application is disposed of.

CRL.M.C. 7976/2023, CRL.M.A. 29783/2023

1. The present proceedings are instituted under Section 482 read with



Section 483 Cr.P.C. seeking quashing of FIR No. 12/2022 registered under Sections 420/120B/34 IPC read with Sections 43/66/66C of the I.T. Act at P.S. Cyber Police, Outer North, Delhi on the ground that the parties have amicably settled their disputes.

2. The allegations in the present FIR relate to online fraud and forgery committed by the petitioners against respondent No.2.

3. Mr. Khanna, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the only complainant/victim in the present case. He submits that charge-sheet has been filed in the present matter under the aforementioned sections. He, on further instructions, submits that petitioners are not found to be involved in any other case.

4. Learned counsel for the petitioners submits that the petitioners and respondent No.2 have amicably settled their disputes out of Court on 04.07.2022 and in terms of the said settlement, respondent No.2/complainant is now left with no claim or grievance against the petitioners.

5. Petitioners, who are present in Court, have been identified by their counsel as well as the I.O./Insp. Raman Kumar and SI Ombir, P.S. Cyber Cell, Outer North. Respondent No.2, who is also present in Court, has been identified by the I.O.

6. Petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2, states that he has settled the disputes with the petitioners out of his own free will, volition and without any coercion. He also states that he has no objection if the present FIR and the consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court



today.

8. 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...”

9. 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;”

10. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.10,000/- to be deposited by each of the petitioners with the Delhi State Legal Services Authority (A/c No. 18580110053263, 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.

11. Proof evidencing receipt of deposit shall be filed with the I.O. failing which, I.O. shall be at liberty to move appropriate application.

12. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

13. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

MAY 7, 2024

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