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

+ **W.P.(CRL) 2237/2024**

MOHIT JAIN & ANR.

.....Petitioners

Through: Mr. Ankur Singhal and Mr. Samyak
Jain, Advocates.

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Amol Sinha, ASC for the State
with Mr. Kshitiz Garg and Mr.
Ashvini Kumar, Advocate with SI
Sumeet, P.S.: Vivek Vihar.
Mr. Hansraj, Advocate for R-2 and R-
3 with R-2 and R-3 *via* video-
conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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26.07.2024

CRL.M.A. 21853/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 2237/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure 1973 the petitioners and complainants/respondents Nos. 2 and 3, seek quashing of case FIR No. 114/2023 dated 19.03.2023 registered under sections 420/468/471/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Vivek Vihar, Delhi.



2. The petition is premised on Settlement/Compromise Deed dated 08.06.2023, whereby the petitioners and respondents Nos. 2 and 3 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioners and of respondents Nos. 2 and 3, alongwith proofs of their I.D.s.
4. Respondents Nos.2 and 3 have joined *via* video-conferencing since they are stated to be away from Delhi. Their counsel is present in court. Both their counsel as well as the Investigating Officer have identified them.
5. The court has interacted with the petitioners, as also with respondents Nos.2 and 3, who have confirmed that they have now resolved the matter and Settlement/Compromise Deed dated 08.06.2023 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. As per the settlement, the petitioners were to receive a total sum of Rs.75,00,000/- (Rs. Seventy-five Lacs Only) plus interest, towards payment of the cheque amount and compensation against the dishonored cheques that were subject-matter of the proceedings; out of which Rs.70,00,000/- is stated to have been received already. The balance amount of Rs.4,85,896/- *each*, due as per the terms of their settlement, is being paid to respondents Nos.2 and 3 by way of demand draft today. The demand drafts have been received on behalf of respondents Nos.2 and 3 by their counsel.
7. Mr. Amol Sinha, learned ASC confirms that the State has no objection to the subject FIR being quashed.



8. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
9. Accordingly, FIR No. 114/2023 dated 19.03.2023 registered under sections 420/468/471/34 IPC at P.S.: Vivek Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JULY 26, 2024/ak