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

+ **CRL.M.C. 6776/2022**

JASVINDER SINGH

.....Petitioner

Through: Mr. Rajesh Kaushik, (En. No. D/728/2000), Mr. Vikas Kaushik and Mr. Sunil Sirohi, Advocates with Petitioner-in-person

versus

STATE (GOVT OF NCT DELHI) & ANR.Respondents

Through: Mr. Aman Usman, APP for the State
Ms. Anjana Joshi, (D/583/R)
Advocate for R-2 with AR of
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

25.07.2024

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1. The instant petition has been filed for quashing FIR No. 544/2007 dated 26.08.2007 registered at Police Station Daryaganj for an offence under Section 420 IPC on the ground that the parties have entered into a settlement.
2. Though, initially the FIR was registered only under Section 420 IPC, but in the supplementary chargesheet, offences under Section 406, 467, 471 & 120B IPC, have been included.
3. It is stated that the parties entered into a settlement before the Delhi Mediation Centre, Tis Hazari Court, Delhi. The settlement agreement dated 14.07.2022, reads as under:-



“After discussion, the parties have settled all their disputes, arising out of the present case as well as loan agreement no. S/1267/T-8 & Hire Purchase Agreement No.H/4089/T-22, voluntarily and amicably, on the following terms and conditions:-

- 1. Sh. Jaswinder Singh will pay the Rs.10,000/- to the Bansal Credits before the Hon’ble Court of Sh. Alok Shukla, Ld. ADJ, THC, Delhi.*
- 2. FAO no. 68/2015 and 69/2015 where Rs.1,00,000/- (Rupees one Lakh only) was deposited in the High Court registry by Late Sh. Chanan Singh and Sh. Jaswinder Singh is one of the petitioner and LR of the petitioner with help in releasing the said amount from the High Court to Bansal Credits Ltd/respondent.*
- 3. The total fees paid by Late Sh. Chanan Singh in the Case no. MIS no. 14/20 MISC DJ/122/2020 in Civil Suit no. DJ/849/2018 is to be released by the court in favour of Sh. Jaswinder Singh LR of the plaintiff on his request as the all matters have been settled between the parties.*
- 4. The Bansal Credit will withdraw the proceedings pending before the court Of Ms. Rajani Ranga, Ld. ACMM, of PS- Daryaganj, FIR 544/2007 and Sh. Jaswinder Singh if the Hon’ble Court not permitted to withdraw the said FIR, in these circumstances, the complainant shall cooperate in the proceeding of quashing petition and, LR of the complainant Sh. Chanan Singh will withdraw the protest petition in FIR no. 227/2008, PS- Darya ganj.*
- 5. That if in any circumstances the above said criminal case is not withdrawn then Sn. Jaswinder Singh will file the quashing petition before the Hon’ble High Court of Delhi and Bansal Credit will not take any*



objection to it.

6. The Bansal Credits Ltd. shall withdraw the Criminal Appeal no. 368/2019 U/s 378 Cr.PC., pending in the Hon'ble High Court of Delhi.

7. That the parties to this settlement have gone through the terms herein before recorded and have confirmed and verified the same to be correct and that they are going to sign it without any threat, pressure, coercion or undue influence from any quarter. Both sides undertake to abide by these terms."

4. The Petitioner and the Authorized Representative of Respondent No.2 are present in Court today. They have been identified by their respective Counsels. The parties who are present in Court state that the settlement agreement has been implemented and acted upon. The Authorized Representative of Respondent No.2 states that no further grievance is left against the Petitioner and that he has settled the matter with his own volition.

5. Considering the fact that the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303.

6. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, the FIR No. 544/2007 dated 26.08.2007 registered at Police Station Daryaganj initially for an offence under Section 420 IPC and subsequently converted into offences under Section 420, 406, 467, 471 & 120B IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and



the undertaking given to the Court.

7. The petition stands disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 25, 2024

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