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

+ CRL.M.C. 6930/2022

GAGAN MALIK & ANR.

..... Petitioners

Through: Mr.Rajesh Kabir, Mr.Yogesh
and Ms.Lisa, Advs.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP with SI
Manish
Ms.Aastha Vishnoi, Adv. for
Mr.Rajat Chaudhary Adv. for
R-2 (through VC)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% 12.02.2024

CRL.M.A. 1581/2024 (early hearing)

1. This is an application seeking early hearing of the petition.
2. For the reasons stated in the application, the same is allowed.
The petition is taken up for hearing today itself.
3. The next date of hearing, that is, 30.03.2024 stands cancelled.

CRL.M.C. 6930/2022 & CRL.M.A. 26832/2022

4. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 370/2019 registered at Police Station: Kirti Nagar, West District, Delhi under Sections 342/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.



5. The learned counsel for the petitioners submits that the dispute arose in relation to a loan transaction between the parties. He submits that the parties have amicably settled their *inter se* disputes and the respondent has also issued a 'No Dues Certificate' dated 28.04.2022 in relation to the loan transaction.

6. The learned counsel of the respondent no.2 is present in Court (through VC) and submits that the respondent no.2 has received complete payment in relation to the loan transaction, and has instructions to reaffirm the settlement mentioned in the present petition. The learned counsel for the respondent no.2 submits that the respondent has also issued the abovementioned 'No Dues Certificate' and has no objection if the present FIR is quashed.

7. I have perused the contents of the FIR and considered the submissions made by the learned counsels for the parties.

8. Keeping in view the fact that the respondent no.2 does not wish to pursue its complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

9. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3, this Court deems it



appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

10. Accordingly, the petition is allowed. FIR No. 370/2019 registered at Police Station: Kirti Nagar, West District, Delhi under Sections 342/506/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.1,00,000/- either jointly or severally with the Delhi State Legal Services Authority within a period of four weeks from today, and file the proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

11. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the Acid Attack Victims requiring such assistance.

12. The petition along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 12, 2024/ns/AS

Click here to check corrigendum, if any