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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 6941/2022**  
**TAPAS MANDAL AND ANR**

..... Petitioners

Through: Mr.Abhishek & Ms.Nishtha  
Sharma, Advs. along with  
petitioners present in person.

versus

**THE STATE AND ANR**

..... Respondents

Through: Ms.Priyanka Dalal, APP.  
SI Jatin Kaushik, PS Raj Park.  
Respondent no.2 present in  
person.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

% **01.04.2024**

**CRL.M.A. 26896/2022 (Exemption)**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 6941/2022**

2. 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. 0239/2015 registered at Police Station: Sultanpuri, Outer District, Delhi under Sections 420/406/174A/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. The learned counsel for the petitioners submits that the disputes between the parties arose out of some petty issues. He submits that the parties have amicably settled their *inter se* disputes and have entered



into a settlement vide Compromise Deed dated 19.11.2022.

4. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO) and he reaffirms the settlement and states that he has settled all the disputes with the petitioners out of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

5. The learned APP, on the other hand, points out that the charge-sheet has also been filed, including a charge under Section 174A IPC against petitioner no.1. Petitioner no.2 was declared a proclaimed offender on 22.03.2016 and was later arrested on 11.02.2016 after much endeavor by the Police.

6. I have perused the contents of the FIR and also the settlement between the parties.

7. Though the charge-sheet has also been filed under Section 174 of the IPC, inasmuch as, the dispute arose of civil nature and also involves a transaction relating to land and keeping in view the fact that the respondent no.2 does not wish to pursue his 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 it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

8. 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 335, 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.

9. Accordingly, the petition is allowed. FIR No. 0239/2015 registered at Police Station: Sultanpuri, Outer District, Delhi under Sections 420/406/174A/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.40,000/- (each) with “*The Blind Relief Association, Delhi (Bank A/c: 30003044419)*” within a period of four weeks from today, and filing proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

**NAVIN CHAWLA, J**

**APRIL 1, 2024/rv/RP**

[Click here to check corrigendum, if any](#)