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

+ **W.P.(CRL) 2414/2024**

PRIYANKA ASTHANA & ANR.

.....Petitioners

Through: Mr. Sandeep Kumar and Mr.
Navdeep Jain, Advocates.

Petitioner *via* video-conferencing.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Amol Sinha, ASC for the State
with Mr. Kshitiz Garg, Mr. Ashvini
Kumar and Ms. Chavi Lazarus,
Advocates.

Insp. Rajiv, P.S. Malviya Nagar.

Mr. Shripal Upadhyay and Mr.

Madhusoodan Singh, Advocates for
R-2.

R-2 *via* video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.08.2024

CRL.M.A. 23606/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

W.P.(CRL) 2414/2024

By way of the present petition filed under Article 226 and 227
of the Constitution of India read with section 528 of the Bharatiya
Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners seek



quashing of case FIR No. 0647/2021 dated 02.12.2021 registered under section 420 of the Indian Penal Code, 1860 ('IPC') at P.S.: Malviya Nagar, New Delhi ('subject FIR').

2. The petition is premised on Settlement Agreement dated 25.04.2022 ('Settlement Agreement') entered through mediation before the Delhi Mediation Centre, Saket Courts Complex, New Delhi, whereby the petitioners and respondent No. 2 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proofs of their I.D.s.
4. The contesting parties have joined the hearing *via* video-conferencing. They have been identified by their respective counsel.
5. The court has interacted with the petitioners, as also with respondent No.2, who have confirmed that they have now resolved the matter and the Settlement Agreement has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. As per the terms of the Settlement Agreement, it was agreed between the parties that the petitioner would pay to respondent No. 2 a total amount of Rs. 16,00,000/- (Rs. Sixteen Lacs Only), out of which Rs. 13,00,000/- (Rs. Thirteen Lacs Only) has already been received by respondent No. 2 and the remaining amount of Rs. 3,00,000/- (Rs. Three Lacs Only) has been paid to respondent No. 2 in court today.
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. 0647/2021 dated 02.12.2021 registered under section 420 of the IPC at P.S.: Malviya Nagar, New 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

AUGUST 9, 2024/MR