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

+ **CRL.M.C. 9382/2023**

VEER SINGH MAHAWAR

..... Petitioner

Through: Mr.Manish Kumar, Advocate with
petitioner in person

versus

THE STATE (NCT) OF DELHI & ANR.

..... Respondents

Through: Mr. Ashneet Singh, APP for State with
SI Dhirender
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.02.2024

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1. The present petition has been filed under Section 482 Cr.P.C. read with Article 227 of the Constitution of India seeking quashing of FIR No. 23/2023 registered under Sections 419/420/120B IPC at P.S. Cyber Police Station Central, Delhi on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR are that the petitioner personating a bank employee cheated respondent No.2 and got Rs.26,876/- transferred to himself.
3. Learned APP for the State submits that the petitioner is the only accused person and respondent No.2 is the only complainant/victim.



4. Learned counsel for the petitioner submits that the parties have reached at a settlement vide Compromise Deed dated 24.04.2023. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioner.

5. The petitioner, who is present in the Court, has been identified by his counsel as well as by the Investigating Officer. Respondent No.2, who is also present in Court, has also been identified by the Investigating Officer.

6. Respondent No.2 states that he has entered into the aforesaid Compromise Deed out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements made in Court today.

9. In Parbatbhai Aahir and Others v. State of Gujarat and Another reported as **(2017) 9 SCC 641**, it has been held as under:-

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing in so far as the exercise of the inherent power to quash is concerned;

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute;



16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and...”

10. Similarly, in State of Madhya Pradesh v. Laxmi Narayan and Others reported as **(2019) 5 SCC 403**, it has been held as under:-

“15. Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:

15.1. That the power conferred Under Section 482 of the Code to quash the criminal proceedings for the non-compoundable offences Under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;”

11. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

12. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

FEBRUARY 6, 2024

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