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

+ **W.P.(CRL) 3770/2023 & CRL.M.A. 35068/2023**

MR.AJAY JANA & ANR.

..... Petitioners

Through: Mr. Kiran Kumar Patra with Mr.
Chandan Maithy, Advocates along
with petitioners in person.

versus

THE STATE GOVT. OF

NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Rahul Tyagi, ASC for State with
SI Naveen Kumar, P.S. Cyber East.
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

07.02.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no.33/2022, registered at Cyber Police Station East, New Delhi for the offences punishable under Sections 420/419/34 of IPC, 1860 and all consequential proceedings emanating therefrom.
2. Petitioners are present before this Court and have been identified by their counsel Mr. Kiran Kumar Patra and Investigating Officer (IO) SI Naveen Kumar from Cyber Police Station East, New Delhi.
3. The brief facts of the present case are that respondent no.2 is a police personnel posted at General Store, East District, DCP Office, East Delhi. On 26.05.2022 a complaint was made by respondent no.2 at Cyber Police Station East, New Delhi regarding alleged fraud for Rs.2,12,000/-. On the



basis of the said complaint the present FIR was registered against the petitioners. However, during the pendency of the abovesaid case, both the parties have amicably settled all their disputes *vide* Settlement Deed dated 04.08.2023 and the petitioners have paid Rs.2,12,000/- to respondent no.2 towards full and final settlement.

4. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that he has entered into settlement out of his own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.

5. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

6. Accordingly, FIR bearing no.33/2022, registered at Cyber Police Station East, New Delhi for the offences punishable under Sections 420/419/34 of IPC and all consequential proceedings emanating therefrom are quashed.

7. In view of the above, the present petition along with pending application stands disposed of.

8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 7, 2024/hs

Click here to check corrigendum, if any