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

+ **W.P.(CRL) 3060/2024**

VIKAS AND ORS

.....Petitioners

Through: Mr. Vinay Kumar Sharma, Mr. Prince, Mr. Aaditya, Ms. Ritu Kumari, Advocates.
Petitioners in court.

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Abhinav Kr. Arya, Advocate for Mr. Sanjay Lao, Standing Counsel for the State and SI Vikash Kumar, P.S.: DIU Rohini.
R-2 and 3 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **03.10.2024**

CRL.M.A. 29715/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 3060/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No.456/2023 dated 06.11.2023 registered under sections 392/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Kanjhawala, Rohini, Delhi.

2. Learned counsel for respondents No.2 and 3 submits, that the offence alleged under section 392 of the IPC was subsequently modified to section 384 of the IPC.



3. The petition is premised on Settlement Deed dated 12.01.2024, whereby the petitioners and respondents Nos.2 and 3 have resolved the matter amicably.
4. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.
5. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
6. The court has interacted with respondents Nos.2 and 3, as also with petitioners, who have confirmed that they have now resolved the matter and a Settlement Deed dated 12.01.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
7. Respondents Nos.2 and 3 have said that the petitioners were *not* the persons who had extorted money from them and since they are not sure of the identity of the persons who had done so, they do not wish to pursue any proceedings against the present petitioners arising from the subject FIR.
8. Mr. Abhinav Kr. Arya, learned counsel is present on behalf of Mr.Sanjay Lao, learned Standing Counsel (Criminal). He confirms that the State has no objection to the subject FIR being quashed.
9. 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.

10. Accordingly, case FIR No.456/2023 dated 06.11.2023 registered under sections 392/34 of the IPC at P.S.: Kanjhawala, Rohini, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 3, 2024

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