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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3382/2024**

SATISH SHARMA. & ORS.Petitioners
Through: Mr. R.K. Bharani, Mr.
Aashish Bharani, Ms.
Ananya Parashar & Mr.
Sandeep Kr. Choudhary,
Advs. along with all the
five petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.
.....Respondents
Through: Ms Rupali Bandhopadhyay,
ASC for the State with Mr.
Abhijeet Kumar, Adv.
SI Raj Kumar, PS Cyber
South.
Mr. Lokesh Kashyap,
Adv. for R-2 along with
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **28.10.2024**
CRL.M.A. 32560/2024 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 3382/2024

3. The present petition is filed seeking quashing of FIR No. 164/2019 dated 01.04.2019, registered at Police Station Ambedkar Nagar, for offences under Sections 406/420/34 of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom. The FIR was filed on a complaint given by Respondent No. 2.

W.P.(CRL) 3382/2024

Page 1 of 3



4. Chargesheet has not been filed in the present case.
5. It is alleged that in the year 2010, Respondent No. 2 was introduced to the petitioners who are stated to be working with the father of Respondent No. 2 at the Airport Authority of India. It is alleged that the petitioners represented themselves to be running a duly registered society in the name of Best Friends Co-operative T&C Society Limited. It is alleged that the petitioners further represented that they were Board of Directors at the said society, and allegedly induced Respondent No. 2 to invest in their fixed deposit scheme purportedly on the premise that they were providing interest up to 12-13% per annum on the amount so deposited. It is alleged that thereafter, based on the representations of the petitioners, Respondent No. 2 invested a total sum of ₹3,00,000 over a period of an year. Subsequently, despite numerous requests made by Respondent No. 2, the petitioners failed to return the amount to Respondent N. 2 which led to the registration of the subject FIR.
6. The present petition is filed on the ground that the parties have settled all their disputes by way of settlement, of their own free will, without any force, coercion, or undue influence.
7. In accordance with the settlement, the petitioners have already paid a sum of ₹4,25,000/- to Respondent No. 2 as full and final settlement of all the claims of Respondent No. 2 against the petitioners. A duly sworn affidavit of Respondent No. 2 has also been appended with the present petition.
8. The parties are present in person before this Court today and have been duly identified by the Investigating Officer.
9. On being asked, Respondent No.2/complainant states that she has received the entire settlement amount of ₹4,25,000/-. She further states that she has no remaining grievance against the



petitioners, and has no objection if the proceedings emanating from the present FIR are quashed against all the petitioners.

10. Offences under Sections 420/406 of the IPC are compoundable in nature.

11. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.

12. Keeping in view the nature of the dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the opinion that this is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

13. In view of the above, FIR No. 164/2019 and all consequential proceedings arising therefrom are quashed against all the petitioners.

14. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

OCTOBER 28, 2024

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