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

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**W.P.(CRL) 3432/2024 & CRL. MA 32981/2024**

**SHRIRAM FINANCE LTD.**

.....Petitioner

Through: Mr. Naval Kishore, Advocate with  
AR of the petitioner company.

versus

**THE STATE GOVT. OF  
NCT OF DELHI AND ORS.**

.....Respondents

Through: Ms. Nandita Rao, ASC (Crl.) for the  
State with Inspector Arun Kumar PS  
Adarsh Nagar, Delhi.  
Mr. D.S. Chauhan and Mr. Pradeep  
Tokas, Advocates for respondent nos.  
2 and 3 with respondent nos. 2 and 3  
in person.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**04.11.2024**

1. The present proceedings are instituted on behalf of the petitioner seeking quashing of FIR No. 0235/2024 registered under Sections 420/468/471/120B IPC at Police Station Adarsh Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations made in the present FIR, the employees of petitioner instead of depositing the money of respondent No.2 in a fixed deposit, made life insurance policies instead to earn commission.
3. Ms. Nandita Rao, learned ASC (Crl.) for the State, on instructions, submits that the petitioner is the only accused company and respondent



Nos.2 and 3 are the complainant/victims in the present case. She further states that the charge-sheet has not yet been filed in the instant case. She states that keeping in view nature of allegations and since the state machinery has been put in motion, the petitioner may be saddled with heavy costs.

4. Learned counsel for the parties submit that the present FIR has been registered due to misunderstanding. He further submits that parties have amicably settled their disputes vide Settlement-cum-Compromise- Deed dated 21.10.2024, a copy whereof has been placed on record. In terms of the said settlement, complainants are now left with no claim or grievance against the petitioner.

5. The AR of the petitioner company and respondent Nos.2 and 3, who are present in Court, have been identified by their respective counsels as well as the I.O./ Inspector Arun Kumar PS Adarsh Nagar, Delhi.

6. AR of petitioner has shown remorse for the conduct of the petitioner company and undertakes not to repeat the same in future. Respondent Nos. 2 and 3 also state that they have settled the disputes with the petitioner out of their own free will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

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

8. In ParbatbhaiAahir 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:*

*xxx*

*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...”*

9. 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;”*

10. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid



FIR and the consequent proceedings arising therefrom are hereby quashed subject to cost of Rs.25,000/-, to be deposited by the petitioner with the Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) within a period of two weeks from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

11. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court.
12. A copy of this order be communicated to the Member Secretary, DSLSA for intimation.
13. With the above directions, the petition is disposed of alongwith miscellaneous application.

**MANOJ KUMAR OHRI, J**

**NOVEMBER 4, 2024/*rd***