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

+ **W.P.(CRL) 3467/2024 & CRL. MA 33331/2024**

MANJU GUPTA & ANRPetitioners

Through: Mr. K.K. Sharma, Mr. Mohit Sharma,
Mr. Harshit Aggarwal and Mr. Tushar
Batra, Advocates.

versus

STATE NCT OF DELHI & ORS.Respondents

Through: Mr. Amol Sinha, ASC (Crl.) for the
State with Mr. Kshitiz Garg and Ms.
Chavi Lazarus, Advocates with SI
Sumit PS Jagatpuri, Delhi.
Mr. Vinod Pal and Mr. Anuj Jain,m
Mr. Ramneek Mishra, Advocates for
respondent nos. 2 and 3 with
respondent nos. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

07.11.2024

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1. The present proceedings are instituted on behalf of the petitioners seeking quashing of FIR No. 0199/2023 registered under Sections 420/406/506/120B/34 IPC at Police Station Jagatpuri, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations in the present FIR, the petitioners refused to transfer property after signing agreement or return the money taken.
3. Mr. Amol Sinha, ASC (Crl.) for the State, on instructions, submits that the petitioners are the only accused persons and respondent Nos.2 and 3 are the complainant/victims in the present case.
4. Learned counsel for the petitioners submits that the present FIR has



been registered due to misunderstanding. He further submits that parties have amicably settled their disputes vide Settlement Deed dated 14.10.2023; a copy whereof has been placed on record. In terms of the said settlement, complainant/respondent nos. 2 and 3 are now left with no claim or grievance against the petitioners.

5. Petitioners and respondent Nos.2 and 3, who are present in Court, have been identified by their respective counsel as well as the I.O./ SI Sumit PS Jagatpuri, Delhi.

6. Petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent Nos. 2 and 3 also state that they have settled the disputes with the petitioners 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:

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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...”

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.

11. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

NOVEMBER 7, 2024/rd