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

+ **CRL.M.C. 9204/2024**

HIMANSHU RANA

.....Petitioner

Through: Ms. Vajisha Kochar, Mr. Tushar
Rohmetra, Advs.

versus

THE STATE (N.C.T. OF DELHI) & ANR.Respondent

Through: Ms. Priyanka Dalal, APP for the State
Mr. Ankit Rana, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **26.11.2024**

CRL.M.A. 35268/2024-EX.

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

CRL.M.C. 9204/2024

3. This is a petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita ('BNSS') seeking quashing of FIR No. 169/2024 dated 08.02.2024 registered at PS Shahbad Dairy, Delhi under Sections 420/467/468/471/474/120B/34 IPC, 1860 and all consequential proceedings emanating therefrom.

4. As per the FIR, the petitioner was trying to deal with the property bearing no. 98 Block B, Pocket 4, Sector-11, Rohini, owned by the complainant/respondent no. 2 namely Sh Suresh Kumar based on forged and fabricated documents.



5. Ms. Kochar, learned counsel for the petitioner states that in fact it is the petitioner who has been defrauded by respondent no.2 i.e. Mr. Suresh Kumar.

6. During the pendency of the proceedings, the parties have executed a settlement agreement on 24.10.2024, wherein the parties have settled their disputes and respondent no. 2 has agreed to cooperate in quashing of the FIR.

7. The petitioner i.e. Mr. Himanshu Rana is present in Court and is identified by his counsel, namely, Ms. Vajisha Kochar, Adv. Respondent no. 2/complainant i.e. Mr. Suresh Kumar is present in Court and is identify by his counsel, namely, Mr. Ankit Rana, Adv and Investigating Officer Surinder Singh.

8. Both the parties state that they have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion. It is stated by respondent No.2 that he has no objection if the FIR is quashed.

9. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. This should not be treated as a legal precedent and in this case the proceedings are quashed as the respondent has decided to put a quietus to the matter. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

10. However, I am of the view that considerable time of the police and judicial time has been wasted. The police machinery has been put in motion



on account of the acts of commission & omission on behalf of the parties and useful time of the police which could have been utilised for important matters has been misdirected towards this case. Hence, the petitioners must pay some costs.

11. For the reasons noted above, FIR No. 169/2024 dated 08.02.2024 registered at PS Shahbad Dairy, Delhi under Sections 420/467/468/471/474/120B/34 IPC, 1860 and all consequential proceedings emanating therefrom are hereby quashed subject to the petitioner depositing a sum of Rs. 20,000/- to DHCLSC within 4 weeks from today.

12. The proof of payment shall be filed within 6 weeks with the registry, Delhi High Court, failing which the file will be put up before the Court.

13. The petition is disposed of accordingly.

JASMEET SINGH, J

NOVEMBER 26, 2024/NG