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

\+ CRL.M.C. 9261/2024

ANUJ DEEP VARSHNEY .....Petitioner
Through: Ms Vanshita Bhuranda, Adv.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. .....Respondents
Through: Mr Sunil Kumar Gautam, APP for State.
Inspector Benkatesh Kumar and HC Ranver, PS-Gulabi Bagh.
Mr Amarjeet Sahni, Mr K Sahni, Mr Harshit and Ms Vanshika, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **27.11.2024**

CRL.M.A. 35510/2024

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

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3. This is a petition seeking quashing of the FIR No. 80089373/2024 under Sections 303(2)/316(4)/317(2) of BNS, registered at Police Station – Gulabi Bagh, Delhi and the impugned order dated 27.09.2024 passed by learned ACMM, Tis Hazari, Delhi in the said FIR.

4. As per the FIR, the complainant i.e. respondent No. 2 had given cash of Rs. 20 lakhs to the petitioner to deposit in bank account which was misappropriated by the petitioner. Hence, the FIR.

5. The petitioner is present in Court and is identified by Ms Vanshita Bhuranda, Adv. The respondent No. 2 is also present in Court and is identified by Mr Amarjeet Sahni, Adv. as well as by the IO Inspector Benkatesh Kumar and HC Ranver, PS-Gulabi Bagh.

6. During the pendency of the proceedings, the parties have arrived at a settlement dated 21.11.2024 wherein the petitioner has no objection if the amount recovered by the police from the petitioner is released to respondent No. 2.

7. The respondent No. 2 states that he does not wish to prosecute the FIR any further and want to put a quietus to the entire matter.

8. The petitioner regrets his action and undertakes to never repeat the same in future.

9. 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.

10. 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. 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.

11. For the reasons stated above, FIR No. 80089373/2024 under Sections 303(2)/316(4)/317(2) of BNS, registered at Police Station – Gulabi Bagh, Delhi and the consequential proceedings emanating therefrom is hereby quashed.

12. Since the FIR No. 80089373/2024 under Sections

303(2)/316(4)/317(2) of BNS, registered at Police Station – Gulabi Bagh, Delhi is quashed, the order dated 27.09.2024 passed by learned ACMM, Tis Hazari, Delhi imposing the condition of obtaining NOC from the concerned Commissioner, Income Tax is no longer required.

13. It is directed that the Investigating Officer shall release the amount lying in the Malkhana to the respondent No. 2 or his representative.

14. With these directions, the petition is disposed of.

JASMEET SINGH, J

NOVEMBER 27, 2024

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Click here to check corrigendum, if any