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

+ **W.P.(CRL) 3693/2024**

MEENU JAIN & ORS.

.....Petitioners

Through: Mr.Vikas Malik and Mr.Mohit
Dahiya, Advocates

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Mr.Amol Sinha, ASC for the State
alongwith Mr.Kshitiz Garg,
Mr.Ashvini Kumar, Ms.Chavi
Lazarus and Ms.Sanskriti Vinmebkar,
Advocates alongwith SI Jogender,
P.S.-Maurya Enclave
Mr.Sandeep Singh, AR of R-2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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27.11.2024

CRL.M.A. 35456/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 3693/2024

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier 482 of the Code of Criminal Procedure, 1973) for quashing of FIR No. 1261/2021 dated 09.12.2021, for offences punishable under Sections 406/34 IPC registered at Police Station Maurya Enclave, and all the other



proceedings emanating therefrom, on the basis of settlement.

2. Briefly stated the facts are that the petitioners had taken a gold loan of Rs.39,22,195/- on 26.11.2019 from Rupeek Capital Private Limited which is complainant/Respondent No.2, out of which the petitioners have paid Rs.7,32,175/- towards the loan repayment on 30.11.2019. Thereafter, no further payment was made. Subsequently, the FIR in question got registered on the complaint of respondent No.2. The total outstanding amount as on date is Rs.65,08,870/-.
3. Issue notice. Learned ASC for the State accepts notice.
4. Mr.Sandeep Singh, the Power of Attorney holder of the complainant-respondent No.2 is also present.
5. Both the parties are present in Court and have been duly identified by the Investigation Officer. The parties jointly submit that after negotiation, the parties have reached on a one-time settlement on account of the grave financial distress of the petitioners at the sum of Rs.17,00,000/-.
6. Mr.Sandeep Singh, the Power of Attorney holder of the complainant-respondent No.2 states that the settled amount of Rs.17,00,000/- have already been received and the complainant-respondent No.2 has waived off the balance outstanding amount. Consequently, they have agreed to withdraw all cases and claims filed by the complainant/respondent No.2. He further states in the present case, full and final settlement is an exceptional case without setting any precedent. He states that as per the Settlement of Dues recorded on 27.02.2024 (Annexure P-2), the payment was made before 07.03.2024. The complainant/respondent No.2 has also issued the No



Due Certificate (Annexure P-3). The Power of Attorney of Mr.Sandeep Singh is also on record (Annexure P-4).

7. In the present case, predominantly, it is a dispute of commercial transaction which has been settled.
8. Taking into account the totality of facts and circumstances of the case, this Court considers that as the parties have entered into an amicable settlement vide Settlement of Dues dated 27.02.2024. No purpose will be served in continuing with the trial.
9. In view of the above, FIR No. 1261/2021 dated 09.12.2021, for offences punishable under Sections 406/34 IPC registered at Police Station Maurya Enclave, and all the other proceedings emanating therefrom are quashed.
10. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 27, 2024

Dy/kr..