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

+ **CRL.M.C. 10210/2024 & CRL. MA 39142/2024**

SWAROOP JAIN & ORS.

.....Petitioner

Through: Mr. Dhruv Gupta, Advocate with
petitioners in person.

versus

STATE OF NCT OF DELHI

THROUGH SHO & ANR

.....Respondents

Through: Ms. Manjit Arya, APP for State with
SI Nitin Kumar PS Harsh Vihar,
Delhi.

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.12.2024

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1. The present proceedings are instituted on behalf of the petitioners seeking quashing of FIR No. 563/2024 registered under Sections 420/465/468/471/120B IPC at Police Station Harsh Vihar, Delhi on the ground that the parties have amicably settled their disputes.
2. The allegations in the present FIR relate to fraud and forgery committed by the petitioners.
3. Learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the complainant/victim in the present case. She states that charge-sheet has not yet been filed.
4. Learned counsel for the petitioners submits that the present FIR has been registered due to some misunderstanding. He further submits that parties have amicably settled their disputes vide Settlement Agreement dated



08.12.2024, a copy whereof has been placed on record. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as the I.O./ SI Nitin Kumar PS Harsh Vihar, Delhi.

6. Petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2 also states that he has settled the disputes with the petitioners out of his own free will, volition and without any coercion. He further states that he has 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, subject to payment of cost of Rs.20,000/- by each of the petitioner with *Avlamban Fund Scheme*, 2024, a scheme formulated by GNCT of Delhi for survivor of acid attacks (Account No.43599660056 at State Bank of India, Tis Hazari Branch, Delhi; IFSC SBIN0000726 AND MICR CODE110002126 within a period of four weeks from today.

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

MANOJ KUMAR OHRI, J

DECEMBER 24, 2024/rd