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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 10256/2024

VARUN SHARMA AND ANR

.....Petitioners

Through: Mr. Tushar Kwatra and
Mr. Dhruv Kumar,
Advocates along with
Petitioners No.1 and 2.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Manoj Pant, APP for
the State.

Ms. Tanya Gupta,
Advocate for R-2 along
with R-2 and her Husband.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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24.12.2024

CRL.M.A. 39324/2024 (Exemption)

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

CRL.M.C. 10256/2024

3. The present petition is filed seeking quashing of FIR No. 331/2024 dated 19.06.2024, registered at Police Station Farsh Bazar, for offences under Sections 420/ 406/ 34 of the Indian Penal Code, 1860 ('IPC') including all consequential proceedings arising therefrom.
4. It is alleged that the petitioners approached the complainant and her husband with an offer to sell the subject property for a total sale consideration of ₹56 lakhs. It is alleged that the complainant and her husband accepted the offer and paid the sale consideration. A sale deed was executed by the petitioners in favour of the complainant on 18.10.2019. On the



same day, Petitioner No.1 and the complainant executed a lease deed by way of which the subject property was leased to Petitioner No.1 for a monthly rent of ₹70,000/-. Thereafter, the office of the sub-registrar refused to register the lease deed and sale deed as there was a pending litigation in relation to the subject property. It is alleged that the petitioners dishonestly assured the complainant and her husband that the subject property suffered from no encumbrances, despite being aware of the pending litigation in relation to the subject property. This led to registration of the present FIR.

5. The present petition is filed on the ground that the parties have settled all their disputes by way of Settlement Deed dated 09.10.2024, on their own free will, without any force, coercion or undue influence.

6. As per the settlement agreement, it is agreed that the petitioner shall pay a total sum of ₹56 lakhs to Respondent No. 2 as full and final settlement of all the claims of Respondent No. 2 against the petitioners. The entire settled amount already stands paid to Respondent No.2.

7. The parties are present in person. They have been duly identified by the Investigating Officer.

8. On being asked, Respondent No.2/complainant and her husband state that they do not wish to pursue the proceedings arising out of the present FIR and they have no objection if the same is quashed.

9. Offences under Sections 420/406 of the IPC are compoundable.

10. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.



11. Keeping in view the ~~status~~ of the dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court.

12. In view of the above, FIR No. 331/2024 and all consequential proceedings arising therefrom are quashed subject to the payment of a total cost of ₹15,000/- by the petitioners, to be deposited with the Delhi Police Welfare Society, within a period of eight weeks from today.

13. Proof of deposit of cost be submitted to the concerned SHO.

14. The present petitions are allowed in the aforesaid terms.

AMIT MAHAJAN, J

DECEMBER 24, 2024/DU