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

+ CRL.M.C. 3205/2018, CRL.M.A. 11217/2018, 5541/2019 &
36540/2019

SUDHEESH AVIKKAL

.....Petitioner

Through: Ms. Shikha Sapra, Adv. along with
petitioner.

versus

STATE OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Utkarsh, APP for State with Insp.
Pawan Kumar, ACS, Crime Branch,
New Delhi.
Mr. Abhinav Jain, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

20.12.2024

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1. The present petition has been filed seeking quashing of FIR No.197/2017 under Sections 420/120B/34 IPC registered at P.S. Crime Branch, Chanakyapuri, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. The case of the prosecution is that the aforesaid FIR was registered on the complaint made by the respondent no.2 wherein he alleged that he and his friend have been duped by the petitioner to the extent of Rs.36.5 lakhs. They were made to invest in the petitioner's company.
3. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Compromise



Agreement dated 11.01.2018, a copy of which is annexed as Annexure P-6 to the present petition. It is recorded in the said agreement that the petitioner has entered into settlement with the respondent nos.2 and his friend and has agreed to pay full and final settlement amount of Rs.36.35 lakhs in the manner stated in the agreement.

4. The attention of the Court has been drawn to the status report dated 08.07.2018 filed by the police wherein it has been recorded that the total agreed sum of Rs.36.35 lakhs has been paid by the accused persons to the complainant.

5. The petitioner is present in Court whereas respondent no. 2 has joined through VC and they have been identified by their respective counsel, as well as, by the Investigating Officer, i.e., Insp. Pawan Kumar, Crime Branch, New Delhi.

6. The respondent no.2, on a query posed by the Court, states that he has received the entire settlement amount of RS.36.35 lakhs and he has no objection in case the aforesaid FIR is quashed.

7. The offences invoked against the present petitioner are otherwise compoundable.

8. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

9. Consequently, the petition is allowed and the FIR No.197/2017 under Sections 420/120B/34 IPC registered at P.S. Crime Branch, Chanakyapuri, New Delhi along with all other proceedings emanating therefrom, is quashed.



10. The petition stands disposed of in the above terms. Consequently, the pending applications stand disposed of.
11. Order be uploaded on the website of this court.

DECEMBER 20, 2024
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VIKAS MAHAJAN, J