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

Date of Decision: 07.04.2025

+ W.P.(CRL) 264/2025

ANKUR JAIN & ORS.

.....Petitioners

Through: Mr. Sudhir Naagar, Ms. Rajshree Singh & Mr. Piyush Aggarwal, Advs. with petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyya, ASC for State. Mr. Murari Tiwari & Mr. Rahul Kumar, Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. This matter has been received by way of transfer.

CRL.M.A. 2303/2025 (Exemption)

2. Allowed, subject to all just exceptions.

3. Application stands disposed of.

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4. The petitioners have invoked the jurisdiction of this Court under



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Article 226 of the Constitution of India read with Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking quashing of FIR No.47/2019 (subject FIR) for the offences under Section 420/468/471 Indian Penal Code, 1860 (IPC) registered at Police Station Jyoti Nagar and all consequential proceedings arising therefrom.

5. The learned counsel for the petitioners submits that, petitioner no. 1 is the son in law of sister of respondent no. 2, who, along with petitioner no. 2, are the trustees of the trust being 'Mahendra Kumar Jain Educational Trust', a public charitable trust. On account of a dispute between the parties with regard to the aforesaid trust and title of the trustee as well as in respect to the functioning and operation of the school, namely Mount Litera Zee School, run by the trust, two cross FIRs were registered, which are as follows:

i. Ankur Jain got registered an FIR bearing no.62/2018 dated 17.02.2018 under Section 420/468/471/120B/34 IPC at PS Jyoti Nagar, Delhi.

ii. Hans Kumar Jain got registered an FIR bearing no.47/2019 dated 08.02.2019 under Section 420/468/471 IPC at PS Jyoti Nagar, Delhi.

6. He further submits that with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of all the disputes pertaining to the functioning and administration of the aforesaid Trust and that no further dispute subsists in relation thereto.



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7. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding (MoU) dated 23.12.2025, has been duly executed between the petitioners and respondent No. 2. It is further submitted that, in terms of the said Settlement/MoU, respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora. The MoU dated 23.12.2024 outlining the terms of settlement has been placed on record.

8. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 28.03.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated therein, that he has no objection if the subject FIR and all the proceedings emanating therefrom is quashed.

9. Before this Court, the Investigating Officer has again identified the parties and they have confirmed in the statement made to this Court that they are abiding by all the terms of the Settlement. The respondent no. 2 has given No Objection to quashing of the FIR. An affidavit to this effect is also placed on record.

10. The learned counsel for the respondents further submits that one of the FIRs being FIR bearing No.62/2018 has been quashed today, i.e. on 07.04.2025 by the learned Coordinate Bench of this Court.



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11. In view of the foregoing, counsel for the parties, jointly prayed for the quashing of the subject FIR.

12. In these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466 and considering the nature of the dispute and the fact that the settlement between the contesting parties have been amicably entered into, and one of the cross FIRs between the parties has been quashed today by this Court, this Court sees no reason, why the subject FIR and all proceedings emanating therefrom should not be quashed. Continuing with the subject FIR and all subsequent proceedings would be a futile exercise, which would not be conducive to peace and harmony between the parties and amount to abuse of process of Court.

13. In view of the above facts and the Memorandum of Understanding dated 23.12.2024, the FIR No.47/2019 for the offences under Section 420/468/471 of the IPC registered at Police Station Jyoti Nagar and all consequential proceedings arising therefrom, are hereby quashed.

14. Due to the registration of cross FIRs, the State machinery has been put to motion and a lot of precious public time has been consumed, therefore, ends of justice would be met if the petitioners is put to cost.

15. The learned counsel for petitioners, on instructions from petitioners, who are present in person in Court, have come forward



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and agreed to contribute an amount of Rs.5,000/- by each petitioner for welfare purposes as has been done in the other petition bearing CRL.M.C. No. 70/2025 by the learned Coordinate Bench of this Court. Accordingly, petitioners are directed to deposit this amount with Delhi High Court Legal Services Committee within two weeks from today and receipt of the same be placed on record.

16. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

APRIL 07, 2025/ab/kp

Click here to check corrigendum, if any