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

+ **CRL.M.C. 533/2025**

VIKAS VIJ & ORS.

.....Petitioners

Through: Ms. Pratishtha, Advocate with
Petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for State.
Mr. Krishna Datta Multani & Mr. Piyush
Thanvi, Advocates for R-2.
Respondent No. 2 through VC.
Insp. Anand Pratap Singh, PS EOW,
Delhi.

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+ **CRL.M.C. 534/2025**

VIKAS VIJ & ORS.

.....Petitioners

Through: Ms. Pratishtha, Advocate with
Petitioners in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Shoaib Haider, APP for State.
Mr. Krishna Datta Multani & Mr. Piyush
Thanvi, Advocates for R-2 & 3.
Respondent Nos. 2 & 3 through VC.
Insp. Anand Pratap Singh, PS EOW,
Delhi.

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+ **CRL.M.C. 535/2025**

VIKAS VIJ & ANR.

.....Petitioners

Through: Ms. Pratishtha, Advocate with
Petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for State.



Mr. Krishna Datta Multani & Mr. Piyush
Thanvi, Advocates for R-2.
Respondent No. 2 through VC.
Insp. Anand Pratap Singh, PS EOW,
Delhi.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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30.01.2025

CRL.M.A. 2608/2025 (Exemption) in CRL.M.C. 533/2025

CRL.M.A. 2611/2025 (Exemption) in CRL.M.C. 534/2025

CRL.M.A. 2612/2025 (Exemption) in CRL.M.C. 535/2025

1. Allowed, subject to all just exceptions.
2. The Application is disposed of.

CRL.M.C. 533/2025

CRL.M.C. 534/2025

CRL.M.C. 535/2025

3. The present Petitions under Sections 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed on behalf of the Petitioners to quash the Complaint Case No. 160/2024, FIR No. 615/2005 under Sections 420/467/471 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) registered at Police Station Karol Bagh, Delhi and FIR No. 403/2005 under Sections 406/420/506/120B of IPC, 1860 at Police Station Karol Bagh, Delhi.

4. Brief facts of the case are that during the course of dealings between the Firm of the Petitioner Nos. 1 and 2, Vikas Vij and Neeraj Vij respectively, and Proprietorship of father of Respondent No. 2, dispute arose between the parties in and around 2003 to 2004 which were the subject matter of various complaints and proceedings, both civil and criminal. During the course of the disputes, the Respondent No. 2 filed a Complaints dated 20.10.2004 and 18.05.2005 in Police Station Karol Bagh, Delhi against the Petitioners alleging that the Respondent No. 2 wanted to sell jewellery articles belonging to his deceased mother and he visited the shop of the Petitioner Nos.1 and 2 for selling the same since his father was already carrying out regular business dealings with the Firm of the of the Petitioner Nos. 1



and 2. The Respondent No. 2 alleged that the jewellery articles of his mother were valued at Rs. 34,98,205/- by the accused persons who agreed to purchase. The Cheques dated 07.06.2003, 10.08.2003, in the sum of Rs. 14,22,000/- and 20,76,205/- respectively were issued by Petitioner No. 1 in favour Satish Kapoor and Co., however, after a period of five months, the said Cheques were returned for revalidation as the accused persons refused to make payment. Thereafter, Respondent No. 2 filed a Complaint Case No. 160/2004 on 25.11.2004 under Section 200 of the Code of Criminal Procedure, 1973 against the accused persons. Since no FIR was registered on the said Complaints, the FIR No. 615/2005 under Sections 420/467/471 of IPC, 1860 and FIR No. 403/2005 under Sections 406/420/506/120B of IPC, 1860 were registered at Police Station Karol Bagh, Delhi on the said Complaints, which culminated into CrI. Case No. 298197/2016 and CrI. Case No. 298196/2016 respectively. The FIRs were attached with the Complaint Cases and both are pending adjudication.

5. It is also submitted that during the pendency of the litigation, the Petitioners and the Respondent No. 2 have decided to put a quietus to all their disputes and have amicably settled the same *vide* Settlement Agreement dated 07.12.2024 which *inter alia* states that: -

- (i) That the Petitioners have not instituted any complaints/proceedings against the Respondent Nos. 2 and 3, if found, they undertake to withdraw the same unconditionally,
- (ii) That the Petitioners shall pay a total sum of Rs. 40,00,000/- to the Respondent Nos. 2 and 3 *vide* Demand Drafts bearing No. 578795, 066543, 578802, 578804 and 578805, dated 05.11.2024, 06.11.2024, 29.11.2024, 04.12.2024 and 05.12.2024, in the sum of Rs. 5,20,000/-, Rs.1,05,000/-, Rs.5,15,000/-, Rs.1,10,000/- and Rs. 27,50,000/-, drawn on Punjab and Sind Bank, Bank of Baroda, Punjab and Sind Bank, Punjab and Sind Bank, Punjab and Sind Bank, in favour of Mr. Satish Kapoor respectively.
- (iii) That the aforesaid Demand Drafts shall be handed over in the Court at the time of quashing of Complaint Case and the FIRs,



(iv) That upon receipt of the Original Demand Drafts, the Respondent Nos. 2 and 3 shall unconditionally withdraw the execution proceedings pending between the Petitioners and the Respondent Nos. 1 and 2 within a period of 7 days from the receipt of said Demand Drafts,

(v) That upon receipt of the settlement amount of Rs. 40,00,000/-, all the pending cases/complaints/proceedings/disputes/differences between the parties shall stand settled and the parties shall not have any further claims against one another,

(vi) That the parties shall cooperate and take steps for quashing of the criminal proceedings and withdrawing execution proceedings before the appropriate Court,

(vi) That the parties shall remain bound by the terms of the settlement.

6. In view of the Settlement Agreement dated 07.12.2024, the present Petitions have been filed.

7. The Petitioners are present in person in the Court today, whereas the Respondent Nos. 2 and 3, Ravi Kapoor and Satish Kapoor are appearing through video conferencing and they have been identified by their counsel and Investigating Officer concerned.

8. Today, the Petitioners have paid the settlement amount of Rs. 40,00,000/- to the Respondent Nos. 2 and 3 *vide* the aforesaid Demand Drafts and the same have been accepted by the learned counsel for the Respondent Nos. 2 and 3 in the Court.

9. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Agreement dated 07.12.2024 and thus, no fruitful purpose will be served in continuing with the FIRs as well as Complaint Case.

10. The present Petitions have been signed by the Petitioners and are supported by their Affidavits. The parties have endorsed and reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

11. Today, the Complainants/Respondent Nos. 2 and 3, who are present through video conferencing, state that they have received all amounts due to them and have no



objection if the FIRs and the Complaint Case are quashed.

12. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and their statements to this effect recorded *vide* Order dated 28.01.2025, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIRs and the Complaint Case and the proceedings pursuant thereto.

13. Moreover, there is no legal impediment in quashing the FIRs and the Complaint Case in question.

14. Accordingly, the Complaint Case No. 160/2024, FIR No. 615/2005 under Sections 420/467/471 of the IPC, 1860 registered at Police Station Karol Bagh, Delhi and FIR No. 403/2005 under Sections 406/420/506/120B of IPC, 1860 at Police Station Karol Bagh, Delhi along with the Chargesheets and all consequential proceedings emanating therefrom are quashed.

15. The Petitions stand disposed of.

NEENA BANSAL KRISHNA, J

JANUARY 30, 2025

S.Sharma