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

+ **W.P.(CRL) 489/2022, CRL.M.A. 22407/2025 & CRL.M.A. 24786/2025**

DR. SURESH KUMAR & ANR.Petitioners

Through: Mr. Siddharth Arora, Mr. Gaurav Kumar, Mr. Ankit Verma, Dr. Suresh Kumar (through VC) & Dr. Anupama Nair (through VC), Advs.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Mr. Sanjeev Bhandari, ASC for the State with Mr. Arjit Sharma & Ms. Sakshi Jha, Advs.
SI Lakhan, PS- EOW
Mr. Atulya Sharma & Ms. Priya Vishwakarma, Advs.
for R2 & R3

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

21.08.2025

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1. The present petition is filed seeking quashing of FIR No. 204/2021 dated 29.12.2021, registered with Police Station Economic Offences Wing, for offences under Sections 420/406/120B of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom. The present FIR was filed on a complaint made by Respondent No.2, who is the Director of Respondent No.3 company, which is engaged in the business of supply of medical equipment.

2. It is alleged that the petitioners approached Respondent



No.3 for taking over the operations of their hospital in return of giving 15% revenue to the petitioners. The complainant company was induced to enter into an agreement dated 25.01.2017 to this effect on the assurance that the petitioners' hospital had a heavy footfall. Respondent No.3 also made heavy investments in the hospital. Subsequently a revised agreement was entered and it was agreed that the petitioners will receive ₹60 lakhs towards their monthly share. Allegedly, although Respondent No.3 paid the agreed amount till January, 2020, however, it was wrongly ousted from the hospital. It is alleged that the money owed to Respondent No.3 was not paid and the petitioners also misappropriated the funds of the hospital. Certain post-dated cheques given by the petitioners were also dishonoured.

3. Furthermore, the petitioners represented to Respondent No.3 company that they had entered into certain agreements with Shanti Mukund Hospital ('SMH') whereby they were obligated to provide medical services to SMH. The petitioners induced Respondent No.3 to provide the medical services to SMH on their behalf, and Respondent No.3 entered into a sub-contract dated 25.01.2017 to this effect on the assurance that SMH had given an NOC in this regard. It was later found that no permission had been sought from SMH.

4. The learned counsel for the petitioners submits that the dispute was essentially commercial in nature and the parties have amicably resolved their issues. He submits that the entire settlement amount now stands duly paid in terms of the settlement as well.

5. It is pertinent to note that the petitioners had filed the present petition seeking quashing on merits. By order dated



28.03.2023, the matter was referred for mediation by this Court and Hon'ble Mr. Justice G.S. Sistani, Former Judge of this Court was appointed as a mediator. It was directed that the learned Mediator may also call SMH to arrive at a complete settlement. The petitioners were also directed to deposit a sum of ₹1.5 crores with the Registrar General of this Court to show their *bona fides*.

6. It is stated that the matter has since been amicably settled between the parties in the mediation proceedings and the parties have entered into a Settlement Agreement dated 31.01.2025, out of their own will, without any coercion, pressure or misrepresentation. SMH also participated in the mediation proceedings. As per the terms of the settlement, Respondent No.3 is entitled to a sum of ₹1,90,00,000/-.

7. By order dated 10.02.2025, this Court directed that the deposited amount along with the accrued interest be released in favour of Respondent No.3. Pursuant to the same, a sum of ₹1,68,95,941 was received by Respondent No.2, the authorised representative of Respondent No.3.

8. The balance amount is handed over to learned counsel for Respondent Nos. 2 and 3 in Court today by way of a Demand Draft No. 058285 dated 02.08.2025, drawn on Bank of Baroda.

9. On being asked, the learned counsel for Respondent Nos. 2 and 3 states that the dispute has been settled and the contesting respondents have no objection if the FIR and the proceedings arising therefrom are quashed.

10. He submits that the board resolution authorising Respondent No.2 to take appropriate steps in terms of the settlement agreement on behalf of Respondent No.3 company and the no objection affidavit of Respondent No.2 for quashing



of the present FIR are on record.

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

12. 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.

13. Keeping in view the nature of 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. I am of the opinion that this is a fit case to exercise discretionary jurisdiction under Section 482 of the Code of Criminal Procedure, 1973.

14. In view of the above, FIR No. 204/2021 and all consequential proceedings arising therefrom are quashed.

15. The present petition is allowed in the aforesaid terms.

16. All pending applications also stand disposed of.

17. The date fixed before the Joint Registrar (Judicial), that is, 26.08.2025, stands cancelled.

AMIT MAHAJAN, J

AUGUST 21, 2025

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