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

+ **W.P.(CRL) 606/2022**

JAIPAL SINGH

.....Petitioner

Through: Mr. Gagan Kr. Sharma, Mr. Anil
Kumar Sharma, Advocates with
petitioner in person

versus

STATE & ANR.

....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for
State with Mr. Abhijeet Kumar and
Mr. Anurag Arora, Advocates and SI
Sachin Panwar, PS Fatehpur Beri,
Delhi
Mr. Rohitt Kumar Yadav and Mr.
Nikhil Saran, Advocate for R2 along
with R2 through VC

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

20.02.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [(earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC"))] has been filed on behalf of the petitioner praying for quashing of FIR bearing No. 0540/2017 dated 21st December, 2017 registered at Police Station - Fatehpur Beri, Delhi for offences punishable under Sections 420/468/471/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. Learned counsel for the petitioner submitted that on account of certain misunderstanding between the petitioner and the respondent no.2, a



complaint was filed against the petitioner by the respondent no.2, which resulted in registration of the instant FIR.

3. It is further submitted that in terms of paragraphs No.2 to 6 of the MoU, the possession has been handed over peacefully.

4. It is submitted that the petitioner and respondent no.2 entered into settlement *vide* Memorandum of Understanding-cum-Compromise Deed dated 10th September, 2023 (hereinafter “MoU”). The terms and conditions of the said settlement are mentioned in the MoU, which is attached with the instant petition.

5. Therefore, it is prayed that the instant FIR may be quashed on the basis of the settlement arrived at between the parties.

6. *Per contra*, learned ASC for the State submitted that there is no objection to the prayer made on behalf of the petitioner seeking quashing of the FIR in question and subsequent proceedings emanating therefrom, in view of the settlement arrived at between the parties.

7. Heard learned counsel for the parties and perused the material on record.

8. The petitioner is present before this Court and has been identified by the Investigating Officer (“IO” hereinafter) SI Sachin Panwar, Police Station - Fatehpur Beri, Delhi and their counsel Mr. Gagan Kr. Sharma and the respondent no. 2 is present before this Court through video conferencing and has been identified by the IO and his counsel Mr. Rohit Kumar Yadav.

9. On the query made by this Court, the respondent no.2 has categorically stated that he has entered into compromise on his own free will and without any pressure and therefore, he does not wish to pursue this matter any further. The parties undertook that they shall abide by all the



terms and conditions of the settlement arrived at between the parties.

10. It was observed by the Hon'ble Supreme Court in the case of ***Ramgopal and Ors. Vs. The State of Madhya Pradesh, 2021 INSC 568***, that the extraordinary power enjoined upon the High Courts under Section 482 of CrPC can be invoked to quash an FIR if the Court is satisfied that the nature of the offence does not impact the conscience of the society and that the compromise between the parties is voluntary and amicable.

11. In the instant case, as stated above, the parties have reached a compromise and amicably settled the entire disputes without any pressure.

12. In view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed and the FIR bearing No. 0540/2017 dated 21st December, 2017 registered at Police Station - Fatehpur Beri, Delhi for offences punishable under Sections 420/468/471/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

13. The petition alongwith pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

FEBRUARY 20, 2025

Rt/anr/mk

[Click here to check corrigendum, if any](#)