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

+ **W.P.(CRL) 767/2025**

SHREY MALHOTRA & ANR.

.....Petitioners

Through: Mr. L.N. Rao and Mr. Aryan Rajpal,
Advs. along with petitioners in person
through VC.

versus

STATE OF GNCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.), Mr. Abhinav Kr. Arya and Mr.
Aryan Sachdeva, Advs.
Mr. Sandeep Rohilla, Adv. for R-2 to
5. Alongwith R-2 to 5 in person
through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **22.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 7151/2025(exemption)

2. Allowed subject to all just exceptions. This application is disposed of.

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3. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 428/2024 under Sections 420/120-B/34 of the IPC, registered at P.S. Geeta Colony.

4. Brief facts leading to filing of the present petition are that on 25.09.2024, the present FIR was registered against the petitioners by respondents No. 2 to 5, wherein, respondent no. 2 is the complainant,



respondent no. 3 is the father of the complainant, respondent no. 4 is the brother of the complainant, respondent no. 5 is the mother of the complainant who had alleged fraud and misappropriation of funds in the name of investing money in share markets, but with the intervention of well-wishers and family friends the matter has been amicably settled.

5. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2/complainant *vide* a Memorandum of Understanding ('MoU') dated 03.02.2025, which is enclosed as Annexure P-2. In the said MoU, it was recorded that the petitioners shall pay a sum of Rs. 90,00,000/- to respondents no. 2 to 5 by way of six Demand Drafts/Cheques in the favour of respondents no. 2 to 5, and in pursuance of the MoU dated 03.02.2025, respondents no. 2 to 5 also have no objection, if the present is quashed.

6. Petitioners no. 1 and 2 and respondents no. 2 to 5 are present before the Court through Video Conferencing and the parties have been duly identified by their respective counsels as well as their Investigating Officer, Inspector Abhijeet Singh, P.S. Geeta Colony.

7. The matter was placed before the learned Joint Registrar who recorded separate statements of the petitioners and respondents no. 2-5, which reads as under:

"We are the petitioners in the present matter. The dispute between us and R-2 has been amicably settled as per the settlement deed dated 03.02.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. We have signed the settlement deed with our wish and will.

We shall be bound by the statement as stated above."

"We are respondent nos. 2, 3, 4 and 5 in the present matter. The dispute between us and petitioners has been amicably settled as per



settlement deed dated 03.02.2025. The settlement has been arrived at between ourselves and petitioners without any force, coercion, undue influence and pressure. We have signed the settlement deed with our wish and will.

We do not want to pursue the present FIR bearing No. 428/2024 PS Geeta Colony therefore, the same be quashed.

We shall be bound by our statement as stated above.”

8. The matter was further placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 15.05.2025, which reads as under:

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking quashing of the FIR NO. 428/2024 Under Sections 420/120-B/34 IPC PS Geeta Colony on the basis of family settlement deed arrived at between the petitioners and R-2 to 5.

2. Vide order dated 05.03.2025, statement of the parties have already been recorded.

3. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon’ble Court.

4. In view of the above, matter be placed before the Hon’ble Court on 22.05.2025.

9. In view of the settlement between the parties, the learned Standing Counsel (Crl.) also has no objection, if the present FIR is quashed.

10. In **Gian Singh vs. State of Punjab, (2012) 10 SCC 303**, the Hon’ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above



question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

11. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 428/2024 under Sections 420/120-B/34 of the IPC, registered at P.S. Geeta Colony.
12. In the interest of justice, the present petition is allowed, and the FIR No. 428/2024 under Sections 420/120-B/34 of the IPC, registered at P.S. Geeta Colony, is hereby quashed, subject to the petitioners depositing costs in the aggregate sum of Rs. 2,00,000/- which is to be deposited to the ***“Delhi High Court Advocates Welfare Trust”*** in the ***Account No. 15530210002995, of the UCO Bank, Delhi High Court Branch, (IFSC- UCBA0001553)*** within a period of 10 days.
13. Petition is allowed and disposed of accordingly.
14. Pending application(s), if any, also stands disposed of.
15. Copy of the order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 22, 2025/kr/sc

Click here to check corrigendum, if any