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

+ **W.P.(CRL) 811/2025**

ABHISHEK KAUSHIK

.....Petitioner

Through: Mr. Utsav Jain, Advocate with
Petitioner.

versus

STATE N. C. T. OF DELHI AND ANR

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for
the State with Mr. Alok Sharma,
Advocate with SI Ramesh Chand, PS
Kotwali.
Counsel for R2 (appearance not
given) with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **13.05.2025**

CRL.M.A. 7573/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. The Petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, Mr. Abhishek Kaushik for quashing of FIR No. 481/2024 dated 02.06.2024 under Section 174A of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Kotwali and all the proceedings emanating therefrom, in view of the mediated Settlement



between the parties on 29.01.2025 *vide* which the Petitioner has been acquitted under Section 138 of the Negotiable Instrument Act, 1881 (*for short 'N.I. Act'*).

4. Issue Notice.

5. Mr. Yasir Rauf Ansari, learned ASC appearing on advance Notice, accepts Notice on behalf of the State.

6. Brief facts of the case are that a Complaint under 138 N.I. Act was filed by the Complainant, Mr. Ram Saran Grover on 27.06.2019, before the learned JMFC-NI Act, Central District, Tis Hazari Court, against the Petitioner alleging dishonour of cheque for a sum of Rs.4,04,121/-. Thereafter, on 08.01.2020 the Petitioner appeared before the learned JMFC and was admitted on Bail. On 01.03.2024, learned JMFC directed the registration of the said FIR against the Petitioner. It is stated that on 08.12.2024, learned JMFC granted Bail to the Petitioner in the Complaint Case on the very same day. However, he was released on Bail only on 17.12.2024 in the said FIR.

7. It is further stated that the Petitioner and the Complainant have amicably settled all the disputes and differences between them and arrived at Settlement dated 29.01.2025. The Statement of the parties have already been recorded and the Petitioner had paid the entire sum of Rs.4,04,121/- to the Complainant and the Complainant withdrew the said Complaint Case. The learned JMFC *vide* Order dated 14.02.2025 allowed the compounding of the same.

8. The parties are present before this Court in-person today and have been identified by their learned Counsel and Investigating Officer concerned. The parties have endorsed the amicable Settlement and accepted



the terms thereof voluntarily. The parties have undertaken to remain bound by the terms of the Settlement.

9. Considering that the main offence had already been compounded, no fruitful purpose will be served in continuing with the present FIR, which is on account of the Petitioner having been declared as an offender and has already suffered the imprisonment for 10 days.

10. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have 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 Complainant is present in the Court, states that he has received all amounts due to him and has no objection if the FIR is 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, 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 FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

13. Accordingly, FIR No. 481/2024 dated 02.06.2024 under Section 174A IPC registered at Police Station Kotwali and all the proceedings emanating therefrom, in terms of the Settlement, are quashed.

14. In view of the Settlement and the submissions made by the parties, the Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 13, 2025/RS