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

+ **CRL.M.C. 3152/2023**

DEEPAK KHATTAR

.....Petitioner

Through: Mr.Sudhir Kumar Singh and Mr.Amit,
Advocates alongwith petitioner

versus

STATE GNCT DELHI THROUGH SHO EOW AND ORS

.....Respondents

Through: Mr. Laksh Khanna, APP for the State
alongwith SI Vijay Kumar, P.S.-EOW.
Mr.Deep Dhamija, Ms.Santoshi
Yadav and Mr.Rakesh Gupta,
Advocates for R-2 alongwith R-2

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

08.04.2025

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This hearing has been done through hybrid mode.

CRL.M.A. 10821/2025 (Early hearing)

1. By way of this application, the applicant seeks early hearing of the present petition.
2. In view of the averments mentioned in the application, the same is allowed and disposed of.
3. The captioned petition is taken up for hearing.

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4. The present petition under Section 482 of the Cr.P.C. has been filed seeking quashing of FIR No. 26/2012, under Sections 409/467/471/471A of the Indian Penal Code, 1860, (for short, 'IPC') registered as P.S. EOW (Crime



Branch), New Delhi, and all the other consequential proceedings emanating therefrom including the chargesheet pending in the concerned learned Trial Court.

5. Learned counsel for the petitioner submits that, during the pendency of the present petition and the chargesheet pending in the Court of competent jurisdiction, the matter has been settled out of Court between the petitioner and respondent No.2/Complainant *vide* Memorandum of Understanding ('MOU') dated 21.03.2023. Therefore, the present petition seeking quashing of FIR No. 26/2012, under Section 409/467/471/471A of the IPC, registered as P.S. EOW (Crime Branch), New Delhi, and all the other consequential proceedings emanating therefrom has been preferred.

6. Copy of the Memorandum of Understanding ('MOU') dated 21.03.2023, has been placed on record, which records the settlement between the parties and their agreement to cooperate with each other in quashing of the present FIR

7. Petitioner and respondent No. 2/Complainant are present before this Court and have been duly identified by their respective counsels, as well as the Investigating Officer, SI Vijay Kumar, P.S.-EOW. The parties have also undertaken to abide by their reciprocal obligations as agreed in the MoU dated 21.03.2023.

8. In pursuance of the aforesaid MOU, the Complainant/respondent No.2 states that the matter has been settled with the petitioner and he has no objection if the FIR and the consequent chargesheet is quashed against the petitioner.

9. An affidavit/NOC dated 01.04.2025 of respondent No.2 has been placed on record. The copy of the passport of respondent No.2 has also been



placed on record.

10. Learned APP for the State submits that investigation in the present FIR has been completed and the chargesheet has been filed is pending before the Court of competent jurisdiction, however, in view of the settlement between the parties, he has also no objection, if the present FIR and the consequent chargesheet pending before the Court of competent jurisdiction is quashed.

11. In *Gian Singh v. 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.”

12. In view of the aforesaid circumstances, and that fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 26/2012, under Section 409/467/471/471A of the IPC, registered as P.S. EOW (Crime Branch), New Delhi and all the other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of competent jurisdiction.

13. In the interest of justice, the petition is allowed, and the FIR No. 26/2012, under Section 409/467/471/471A of the IPC, registered as P.S. EOW (Crime Branch), New Delhi and all the other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of



competent jurisdiction, is hereby quashed.

14. Petition is disposed of accordingly.

15. Pending application(s), if any, also stand disposed of.

16. The next date of hearing, *i.e.*, 21.08.2025, stands cancelled.

17. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

APRIL 8, 2025

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Click here to check corrigendum, if any