



2025:DHC:3230



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

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Date of decision: 02.05.2025

+ CRL.M.C. 2340/2025

RAJEEV KUMAR

.....Petitioner

Through: Petitioner in person with Mr.
Rishi Kant Mishra & Mr. Rajiv
Singh, Advocates

versus

STATE (NCT OF DELHI) & ANR.

... Respondents

Through: Ms. Shubhi Gupta, APP for the
State with SI Gaurav Kumar,
PS Rajinder Nagar
Respondent No. 2 is present
through VC
Mr. Raajan Aggarwal,
Advocate for Respondent No. 2

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0161/2012, dated 10.10.2012 registered at P.S Rajinder Nagar under sections



379/411 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The Petitioner misused the stolen credit card belonging to the Respondent No.2 for purchasing things. The Respondent No.2 after receiving a message regarding a purchase being made from his stolen credit card, contacted the police and thereafter the Petitioner was apprehended and FIR was lodged against him under Section 379/411 IPC.

3. During the proceedings, the parties have amicably resolved their disputes. The Respondent No.2 has tendered his NOC for quashing of FIR No. 0161/2012 and the copy of the same has been placed on record as Annexure C.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“07.04.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 161/2012 Under Sections 66B/66C I.T. ACT registered at P.S. Rajinder Nagar on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioner and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioner stated 'I that dispute between him and R-2 has been amicably settled as



per the settlement. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioner has been amicably settled as per the settlement. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. 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.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 02.05.2025.

5. Petitioner is physically present before the Court while respondent No. 2 entered his appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Gaurav Kumar from PS Rajinder Nagar.

6. Respondent No.2 confirms that the matter has been settled with the petitioner without any force, fear, coercion and has no objection if the FIR No. 0161/2012 is quashed against the petitioner.



7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0161/2012 is quashed.

8. In ***Gian Singh Vs State of Punjab (2012) 10 SCC 303***, 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 proceedings."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0161/2012, dated 10.10.2012 registered at P.S Rajinder Nagar under sections 379/411 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0161/2012, dated 10.10.2012 registered at P.S Rajinder Nagar under sections 379/411 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.



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11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 02, 2025/ak

