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

+ CRL.REV.P. 84/2017 & CRL.M.(BAIL) 131/2017

M/S SKIPPER SALES PVT LTD

.....Petitioner

Through: Mr. Maninder Singh, Sr.Adv, Ms. Smiriti Asmita, Dr. Anurupita Kaur, Mr. Rahul Pandey, Ms. Janvi Narang and Ms. Sanjana Nair, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANRRespondents

Through: Mr. Manoj Pant, APP for the State with Mr. Vikrant Singh, Mr. Chandrapal, Ms. Shimpi Chaudhary and Mr. Manoj Kumar, Advs. along with Insp. Dharmendra Pratap Singh PS EOW.
R-2 with his counsel

(11)

+ CRL.REV.P. 285/2017

MAJ GEN JOGINDER SINGH

.....Petitioner

Through: Petitioner with his counsel

versus

STATE, GNCT OF DELHI & ORSRespondents

Through: Mr. Manoj Pant, APP for the State with Mr. Vikrant Singh, Mr. Chandrapal, Ms. Shimpi Chaudhary and Mr. Manoj Kumar, Advs. along with Insp. Dharmendra Pratap Singh PS EOW.
Mr. Maninder Singh, Sr.Adv, Ms. Smiriti Asmita, Dr. Anurupita Kaur,



Mr. Rahul Pandey, Ms. Janvi Narang
and Ms. Sanjana Nair, Advs. for R-4
and R-5.

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
22.05.2025

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CRL.REV.P. 84/2017

1. By way of the present revision petition, the petitioner seek setting aside of judgement dated 05.12.2016 as well as the order on sentence dated 21.12.2016 passed by the learned Session Judge, Patiala House Court in CA Nos. 5 and 6 of 2016 whereby M/s Skipper Towers Pvt. Ltd and M/s Skipper Sales Pvt. Ltd. had been convicted under Section 420 of the Indian Penal Code, 1860 (hereafter, 'IPC').
2. Brief facts, as discernible from the material on record, are that the present FIR came to be registered on the basis of a written complaint dated 21.05.1991 of Major General Joginder Singh (complainant) wherein he had alleged that the accused person/company had cheated the complainant, as it never had any authority to enter into any transaction with respect to any portion of the 4th floor of the building in question, as the same had already been allotted to the landowners and one Manmohan Nath in terms of the collaboration agreement between landowners and M/s Skipper Towers Pvt. Ltd. On the basis of the aforesaid, the FIR bearing no. 454/91 came to be registered at Police Station Connaught Place.
3. The learned Trial Court acquitted all four accused persons/companies *vide* judgment dated 07.01.2016. Thereafter, the State and the complainant had preferred Criminal Appeal Nos. 5 and 6 of 2016. The learned Sessions



Court was pleased to uphold the acquittal of Sardar Tejwant Singh and Harpreet Singh but set aside the acquittal of M/s Skipper Towers Pvt. Ltd and M/s Skipper Sales Pvt. Ltd. and convict them for offence punishable under Section 420 of IPC *vide* judgement and order on sentence dated 05.12.2016 and 21.12.2016, respectively.

4. The present revision petition had been filed by the petitioner M/s Skipper Sales Pvt. Ltd.

5. However, it is stated that during the pendency of the present petition, both the parties have arrived at an amicable settlement, voluntarily. The parties were able to reach a compromise and they state that they will remain bound by the terms of the Memorandum of Understanding (MoU), executed between themselves.

6. On a query made by this Court, respondent no. 2 /complainant, who has been identified by his counsel, has categorically, stated that he has agreed to compromise out of his own free will and without any pressure, coercion or threat. Further, it is also stated by respondent no. 2 that the entire dispute has been amicably settled/compromised between the parties, and therefore, respondent no. 2 has no objection if the said case is compounded.

7. In the case at hand, the parties have amicably resolved their differences on their own free will, and without any coercion, and thus, no useful purpose will be fulfilled by continuing the proceedings, rather the same would create further acrimony between them. The offence under Section 420 of the IPC can be settled and compounded with the leave of the Court, and when a person is allowed to compound the offence, his conviction can be set aside. Since the matter has been settled between the parties, in terms of the said MoU, there is no legal impediment in allowing



the present petition.

8. Accordingly, the judgment dated 05.12.2016 and order on sentence dated 21.12.2016 passed by the learned ASJ-02 (FTC), New Delhi District Patiala House Courts, Delhi is set aside.

9. Accordingly, the present petition, along with pending application, if any, stands disposed of.

CRL.REV.P. 285/2017

10. In view of the above order passed in CRL.REV.P. 84/2017, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the present revision petition.

11. Accordingly, the present revision petition is dismissed as withdrawn.

12. The order be uploaded on the website forthwith.

MAY 22, 2025/A

DR. SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any