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

+ **CRL.M.C. 2776/2022 & CRL.M.A. 11493/2022**

NARESH KUMAR

.....Petitioner

Through: Mr. Vikas Walia, Advocate along
with the petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI & ORSRespondents

Through: Mr. Naresh Kumar Chahar, APP for
the State.

Ms. Kandula Rajamani,
complainant/respondent no.2 through
VC.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
10.01.2025

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973, has been filed by the petitioner praying for quashing of FIR bearing No.578/2007, registered at Police Station Pahar Ganj, Delhi for offences punishable under Sections 420/468/471/120B/474 of the Indian Penal Code, 1860 (hereafter 'IPC') and all proceedings emanating therefrom.
2. It is stated that Ms. Kandula Sayamma, complainant/respondent no.3 has passed away.
3. Complainant/respondent no.2, Ms. Kandula Rajamani @ Mangani Rajmani, is present in Court through video conferencing. The complainant is not familiar either with Hindi or English language.



4. Ms. Sumitra Choudhary, Advocate present in Court through video conferencing, who knows Telgu Language has assisted the Court and has put a question to the complainant, Ms. Kandula Rajamani in her language, i.e., Telgu which she understands as to whether she has received the entire payment in this case towards and full and final settlement of the agreement.

5. Ms. Choudhary states that the complainant has stated in Telgu that she has received the entire amount towards full and final settlement. She has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat.

6. The settlement has been arrived at between the parties. No doubt, it has taken a long time and the State and the judiciary has been burdened with conducting investigation and trial of the case. However, incumbent circumstances in this case, i.e. that all the witnesses have been examined but the parties could not arrive at a settlement earlier have to be taken note of to decide as to whether this FIR be quashed or not.

7. This aspect has been examined by the Court, and an important consideration while considering the settlement between the parties is as to whether it would be unfair and contrary to interest of justice to continue with the criminal proceedings where the petitioner is 77 year old.

8. Accordingly, considering the overall facts and circumstances and that the parties have amicably settled their dispute, this Court is inclined to quash the FIR being No.578/2007 and the proceedings emanating therefrom.

9. Accordingly, FIR bearing No.578/2007 registered at Police Station Pahar Ganj, Delhi for offences punishable under Sections 420/468/471/120B/474 of the Indian Penal Code and all proceedings emanating therefrom are quashed.



10. The petition stands disposed of.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 10, 2025

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[Click here to check corrigendum, if any](#)