



2025:DHC:4276



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 23.05.2025

+ CRL.M.C. 2841/2025 & CRL.M.A. 12700/2025 EXEMPTION
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RAKESH KUMAR

.....Petitioner

Through: Mr. Bankey Bihari, Adv. along
with petitioner in person.

Versus

STATE GOVT OF NCT OF DELHI & ANR.... Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Lokesh Kumar,
PS New Friends Colony
R-2 in person.

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. SEO-NFC-000690, dated 16.10.2023, registered at e-P.S New Friends Colony, South East under section 379 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The Respondent No.2 reported the theft of his cheque book pertaining to A/c No. 10569603032 in SBI, Nirman Bhawan Branch



which he suspects was stolen from his bag while he was at Sukhdev Vihar, New Delhi. Two Cheques bearing No. 052256 and 052257 from the said cheque book, each amounting to Rs. 20,000/- drawn on SBI, Nirman Bhawan Branch, New Delhi were missing. The Respondent No.2 lodged the aforesaid FIR under Section 379 IPC on 16.10.2023 based on the information received through an e-FIR.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Agreement dated 10.03.2025. In pursuance of the Settlement, the Petitioner has paid Rs. 35,000/- in lump sum cash to the Respondent No.2 as full and final settlement. It is submitted that all the previous complaint and litigation initiated by the parties has been withdrawn. The copy of Settlement Agreement dated 10.03.2025 has been placed on record as Annexure P-3.

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

“28.04.2025

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. 690/2023 Under Sections 379 of the Indian Penal Code registered at P.S. New Friends Colony 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 that dispute between him and R-2 has been amicably settled as per



the settlement deed dated 10.03.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. He has signed the settlement deed with his wish and will. 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 deed dated 10.03.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

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 23.05.2025.

5. Petitioner and Respondent no. 2 are physically present before the Court with Counsel for petitioner. They have been identified by their respective counsels as well as by the Investigating Officer SI Lokesh Kumar from PS New Friends Colony.

6. Respondent No.2 confirms that the matter has been settled with the Petitioner without any force, fear, coercion and he has received the lump sum payment of Rs. 35,000/- in cash by the Petitioner as full and



final settlement. He submits he has no objection if the FIR No. SEO-NFC-000690 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. SEO-NFC-000690 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. SEO-NFC-000690, dated 16.10.2023, registered at e-P.S New Friends Colony, South East under section 379 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. SEO-NFC-000690, dated 16.10.2023, registered at e-P.S New Friends Colony, South East under section 379 IPC along with the charge sheet



2025:DHC:4276



and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioner depositing Rs. 5000/- cost with (DHCBA cost A/c no. 15530110179338) maintained with the UCO Bank, Delhi High Court within a period of 15 days.

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

RAVINDER DUDEJA, J

MAY 23, 2025/AK



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