



\$~85

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

+ **W.P.(CRL) 1564/2025**

VIRAL GUPTA & ORS.

.....Petitioners

Through: Mr. Manu Padalia, Mr. Kapil Jaswal
and Mr. Dilip Garg, Advocates.
Petitioners through VC.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC
(criminal) for the State.
Insp. Ramkesh, PS EOW.
Mr. Dhruv Gupta, Advocate for R-2
(through VC).
AR of R-2/Padam Salecha through
VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **16.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 14569/2025 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 1564/2025

3. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 56/2025, under Sections 316(2)/318(4) of the BNS, registered at P.S. Economic Offence Wing.

4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of investigation in the present FIR, parties have entered



into settlement *vide* settlement agreement dated 30.04.2025 and have settled their disputes.

5. The matter was listed before the learned Joint Registrar on 09.05.2025, wherein statement of petitioners and respondent no. 2 was recorded and the following order was passed:-

“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. 56/2025 Under Sections 316(2) AND 318(4) OF BHARATIYA NYAYA SANHITA, 2023 registered at P.S. EOW on the basis of settlement arrived at between the parties.

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

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 30.04.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 30.04.2025. 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 16.05.2025.”



6. Petitioners and Authorised Representative of respondent no. 2 are present through video conferencing before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, Insp. Ramkesh, PS EOW.

7. The Authorised Representative of respondent No.2 states that the matter has been settled with the petitioners and respondent no. 2 and he has no objection if the FIR is quashed.

8. In view of the settlement between the parties, learned ASC for the State also has no objection if the present FIR is quashed.

9. 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.”

10. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 56/2025, under Sections 316(2)/318(4) of the BNS, registered at P.S. Economic Offence Wing.

11. In the interest of justice, the petition is allowed, and the FIR No. 56/2025, under Sections 316(2)/318(4) of the BNS, registered at P.S. Economic Offence Wing, is hereby quashed, subject to payment of



consolidated cost of Rs.5,00,000/- to be deposited by the petitioners with the Delhi Legal Services Authority within a period of one week from today. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

12. Proof evidencing receipt of deposit shall be filed with the Investigating Officer.

13. A copy of this order be communicated to the Member Secretary, DLSA for intimation.

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

AMIT SHARMA, J

MAY 16, 2025/sn/pr

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