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

+ **W.P.(CRL) 1632/2025&CRL.M.A. 15324/2025 (Stay)**

SATISH KAPUR @ SATISH KAPOOR & ORS.Petitioners

Through: Ms. Saumya Dwivedi and Mr. Somesh
Chandra Jha, Advocates.
Petitioner nos. 1 and 2 in person.
Petitioner nos. 3 and 4 through vc.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Ms. Abhinav
Kumar and Mr. Aryan Sachdeva,
Advocates.
SI Tej Singh, DIU/OND.
Mr. Pardeep, Mr. Joginder, Advocates
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **27.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 15323/2025 (Exemption)

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

W.P.(CRL) 1632/2025&CRL.M.A. 15324/2025 (Stay)

3. The present petition under Articles 226 and 227 of the Constitution of India read with Section 528 of the BNSS seeks quashing of FIR No.742/2023, under Sections 420/120B/34 of the IPC, registered at P.S. Shahbad Dairy, Delhi.

4. Learned counsel appearing on behalf of the petitioners submits that



during the pendency of the investigation, the matter has been settled with respondent no. 2 *vide* Memorandum of Understanding dated 04.03.2025, and in pursuance of the said MoU, respondent no. 2/complainant has no objection, if the present FIR is quashed.

5. Petitioner Nos. 1, 2, complainant/respondent no. 2 are present before the Court and petitioner nos. 3 and 4 appear through video conferencing, and have been duly identified by their respective counsel as well as by the Investigating Officer, SI Tej Singh, DIU/OND.

6. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 19.05.2025: -

“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. 742/2023 Under Sections 420, 120-B, and 34 of the Indian Penal Code registered at P.S. SHAHBAD DAIRY 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 04.03.2025. 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 04.03.2025. 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 27.05.2025.”

7. Respondent no. 2 submits that the matter has been settled with petitioners and he has no objection if the present FIR is quashed. He further states that all the terms of the settlement have been complied with.

8. Learned Standing Counsel (Crl.) submits that the investigation in the present FIR is pending and chargesheet is yet to be filed. However, in view of the settlement between the parties, learned Standing Counsel (Crl.) for the State has no objection, if the present FIR is quashed.

9. In *Gian Singh vs. 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. 742/2023, under Sections 420/120B/34 of the IPC,



registered at P.S. Shahbad Dairy, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 742/2023, under Sections 420/120B/34 of the IPC, registered at P.S. Shahbad Dairy, Delhi, are hereby quashed, subject to cost of Rs.75,000/- to be deposited by the petitioners with Delhi High Court Bar Association (Cost Account: A/c no. 15530110179338, UCO Bank, IFSC No. UCBA0001553), within 7 days from today.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MAY 27, 2025/bsr

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