



\$~40

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5947/2023 & CRL.M.A. 22321/2023**
SUPERTECH TOWNSHIP PROJECT PVT. LTD. & ORS.

.....Petitioners

Through: Ms. Sangeet Bharti, Mr. Ashish Kumar, Mr. Lokesh Malik and Ms. Manya Sharma, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Richa Dhawan, APP for the State with Insp. Yogesh Kumar, P.S. Amar Colony.

Respondent no. 2 in person through Vc.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
16.01.2025

%

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the CrPC has been filed seeking quashing of FIR No. 430/2022, under Sections 420/406/34 of the IPC, registered at P.S. Amar Colony.
3. Learned counsel appearing on behalf of the petitioners submits that the present FIR has been registered on account of contractual dispute between respondent Nos. 2 and 3 and the petitioner No. 1/company. It is pointed out that during the pendency of the investigation in the present FIR, the matter has been settled with respondent Nos. 2 and 3 by way of settlement deed dated 02.11.2022 *vide* settlement deed dated 02.11.2022.



4. Respondent No. 2/Mr. Ravi Oberoi appears through video conference, duly identified by the Investigating Officer, and submits that the matter has been settled with the petitioner and all the terms of the settlement deed have been complied with and nothing remains to be satisfied.

5. Status report dated 25.11.2024 has been placed on record, which shows that there are several FIRs registered against the Supertech Company/petitioner No. 1 at different police stations. In this regard, learned counsel for the petitioners submits that the only FIR No. 78/2020, under Sections 420/406/120B of the IPC, registered at P.S. EOW is with respect to petitioner No. 1/company, however, other FIRs are related to different group companies.

6. Be that as it may, Sections 420/406/34 of the IPC offences under which the present FIR is registered are compoundable in nature and the matter has already been settled between the parties.

7. 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.”

8. 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. 430/2022, under Sections 420/406/34 of



the IPC, registered at P.S. Amar Colony.

9. In the interest of justice, the petition is allowed, and the FIR No. 430/2022, under Sections 420/406/34 of the IPC, registered at P.S. Amar Colony, is hereby quashed, subject to cost of Rs. 1,00,000/- to be deposited by petitioner No. 2 on behalf of all the petitioners with Delhi State Legal Services Authority within 15 days from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

11. The present petition is allowed and disposed of accordingly.

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

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

AMIT SHARMA, J

JANUARY 16, 2025/bsr

Click here to check corrigendum, if any