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

+ **CRL.M.C. 3932/2025**

RAKESH KUMAR KAPUR & ORS.

.....Petitioners

Through: Mr. Hemant Gulati, Mr. Shobit Dimri,
Mr. Himanshu Adhana and Mr. Varunendra
Bahadur Singh, Advs.

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Raghuinder Verma, APP for State
and Mr. Aditya Vikram Singh, Adv.

SI Sunit Kumar

Mr. Sandeep Vishnu Adv. with R-2 in person.

Mr. Madhav Suri and Ms. Suwaleha Siddiqui
Advs. for R- 3&4 with R-3&4 in person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **31.07.2025**

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC.")] has been filed by the petitioners praying for quashing of FIR no. 113/2017 registered at Police Station Jagat Puri on 23.04.2017, for offences punishable under Section 467/468/471 of the Indian Penal Code (Hereinafter "IPC").

2. The petitioners are present before this Court and have been identified by their counsel as well as the Investigating Officer, Police Station Jagat Puri. Respondent nos.2-4 are also present in the Court and have been



identified by their counsel and the Investigating Officer.

3. The parties before this Court are siblings, all children of one late Mr. Joginder Kumar Wahi. The FIR was conceived by the alleged disposal of a car that was in possession of late Mr. Wahi, where the proceeds from such sale were not shared with the complainants.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners and respondent nos. 2-4 have settled their disputes amicably through Settlement Deed dated 22.05.2025.

5. The settlement deed details the terms that deal with, *inter alia*, the immovable property inherited by the parties, as well as the quashing of FIR 113/2017 that was registered in connection with the disposal of the inherited car.

6. On a query by the Court, respondent nos. 2-4 have categorically stated that they have entered into this compromise on their own free will and without any pressure. It is also stated by them that the entire dispute has been amicably settled between the parties.

7. A copy of the Settlement Deed dated 22.05.2025 has been annexed as Annexure-P2 to the petition. On the basis of this Settlement Deed, respondent nos. 2-4 have agreed to, *inter alia*, withdraw the case arising out of FIR 113/2017 registered at Police Station Jagat Puri.

8. It is prayed by learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.

9. Mr. Raghuvendra Verma, learned APP for the State submitted that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.



10. Heard learned counsel for the parties and perused the record.
11. Keeping in view the fact that the matter stands amicably been settled between the petitioners and the respondent nos. 2-4 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.
12. In view of the fact that the parties are siblings and they have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them. Further in view of the fact that the parties have arrived at settlement, the chances of ultimate conviction of the accused persons are also bleak.
13. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.
14. In the present case, the State machinery has been put into motion and further the judicial time has also been wasted, it is deemed appropriate to impose cost on the petitioners. In the facts and circumstances of the present case, the petitioners are directed to deposit a cost of ₹25,000/- the Delhi Police Welfare Society and CDCBA Members Welfare Fund.
15. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab (2012) 10 SCC 303***, FIR 113/2017 registered at Police Station Jagat Puri on 23.04.2017, for offences punishable under Section 467/468/471 of the IPC, and consequent proceedings emanating therefrom, are quashed, subject to payment of costs of ₹25,000/- to the Delhi Police Welfare Society and CDCBA Members Welfare Fund, Account bearing No. 33640110020388 (IFSC Code: UCBA0003364) maintained with the UCO Bank, Rouse Avenue Court Complex, New Delhi payable by petitioners within a period of four weeks from today. The receipt of payment is to be deposited with, and to be



verified by, the concerned IO, who shall communicate its receipt or lack thereof to the registry, within two weeks from today.

16. The petition, along with pending applications, if any, stands disposed of.

AJAY DIGPAUL, J

JULY 31, 2025/AS/av