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

+ **W.P.(CRL) 1865/2025**

ABHISHEK DUBEY

.....Petitioner

Through: Mr. Prabjyoti K. Chadha and Mr. D.S. Chadha, Advocates along with petitioner-in-person.

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State with Insp. Ichha Ram, PS Dariya Ganj.
Respondent no. 2-in-person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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13.08.2025

1. By way of the present petition, the petitioner seeks quashing of FIR bearing no. 323/2024, registered at Police Station Darya Ganj, Delhi for the offences punishable under Sections 318(4)/61(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. The petitioner and respondent no. 2 are present before this Court through and have been identified by their counsels and concerned Investigating Officer (IO) from Police Station Darya Ganj, Delhi.
3. Briefly stated, facts of the present case are that the petitioner is a resident of Lucknow and a Contractor of several Parking Lots in Lucknow as well as several other cities in India. The Complainant namely Ashwani



Kumar filed complaint against the petitioner alleging therein that an order was placed over phone from international number to purchase 2 Kg Gold. However the petitioner was implicated in the said case because the international number was used from internet installed from one of the parking lot of which the petitioner had the contract in Lucknow and it was further alleged that delivery of the said gold was taken through his employee namely Deepak Kumar but never had given payment for the same and his mobile phone was not reachable after taking the delivery of the said gold. Thereafter, the FIR was lodged at P.S. Darya Ganj, Delhi against the petitioner under relevant sections. It is stated that during the pendency of the present case, both the parties have amicably settled all their disputes *vide* Memorandum of Understanding (MoU) dated 07.04.2025.

4. On a query made by this Court, respondent no.2 who has been identified by the concerned IO, has categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or threat. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between the parties. Respondent no. 2 further states that he has no objection if the present FIR is quashed.

5. In view of the above fact that the parties have amicably resolved their differences of their own free will, without any coercion and no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

6. Accordingly, FIR bearing no. 323/2024, registered at Police Station Darya Ganj, Delhi for the offences punishable under Sections 318(4)/61(2)



of BNS and all consequential proceedings emanating therefrom are quashed, subject to petitioner depositing a sum of Rs.10,000/- with the Delhi High Court Advocates Welfare Fund within a period of two weeks from date.

7. In view of the above, the present petition stands disposed of.
8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 13, 2025/vc