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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2457/2024 & CRL.M.A. 23951/2024**
RAJIV KUMAR @ RAJIV TRIPATHIPetitioner
Through: Mr. Rajeev Saini and Mr. Atul
Sharma, Advs.
versus
STATE (NCT OF DELHI) & ANR.Respondents
Through: Mr. Yasir Rauf Ansari, ASC
SI Akash Deep PS Sadar Bazar
R-2 in person

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **15.01.2025**

1. The present petition has been filed under Article 226 of the Constitution of India seeking quashing of FIR No. 141/2018 dated 24.07.2018 registered at PS Sadar Bazar, under Sections 420/468/471 of the Indian Penal Code, 1860 (IPC) on the basis compromise deed dated 04.03.2024 which is on record of this Court as 'Annexure D' attached to this petition.
2. The Petitioner is present in Court and has been identified by the counsel as well as by Investigating Officer ('IO').
3. Respondent no. 2 (i.e., the Complainant) as well is present in Court and is identified by the counsel for the Petitioner and the IO.
4. Learned counsel for the Petitioner states that parties have arrived at settlement which is recorded in the settlement deed dated 04.03.2024, wherein the Petitioner has undertaken to pay a sum of Rs. 13 Lakhs to Respondent no. 2 as full and final settlement of all their disputes.
5. Learned counsel for the Respondent no. 2 confirms that the entire amount has been received by her and she as well joins the request for



quashing. He states that Respondent no. 2 has consented to the quashing of the present FIR.

6. Learned ASC appearing for the State submits that the FIR is still at the stage of investigation and no charge-sheet has been filed.

7. Keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute and considering the chances of conviction of the Petitioners being remote and bleak, this Court is, therefore, of the view that there is no use continuing with proceedings of the present FIR as it would be misuse of the process of the Court and an unnecessary burden on the State exchequer. It will be nothing but abuse of the process of law. Further this Court is also of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. In view of the above, the FIR No. 141/2018, dated 24.07.2018 registered at Police Station Sadar Bazar for offences under Sections 420/468/471 of the IPC and proceedings emanating therefrom are quashed.

9. Parties shall abide by the terms of settlement.

10. Pending application is disposed of as infructuous.

11. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JANUARY 15, 2025/hp/sk

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