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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6357/2024**
SMT NIDHI JINDAL AND ANOTHERPetitioners

Through: Mr. Kumar Vivek Vibhu and Ms.
Priyanka Rani, Adv.
Petitioner no.1 in person.
Petitioner no. 2 through VC

versus

THE STATE (THROUGH GOVT. OF NCT OF DELHI) AND
ANOTHERRespondents

Through: Mr. Utkarsh, APP for State with SI
Reena PS Dwarka Sector-25
Mr. Nagender Deswal, Adv. for R-2
R-2 through VC

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
25.02.2025

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1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0227/2019 under Sections 420/468/120B IPC registered at Police Station Sector-23 Dwarka, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice. He submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioner no.1 is present in Court whereas petitioner no.2, as well as, respondent no. 2 have joined through VC. The parties have been identified



by their respective counsel, as well as, by the Investigating Officer SI Reena PS Dwarka Sector-25.

4. The case of the prosecution is that the petitioners purporting themselves to be owner of the property at Plot No. 37, Sector-12 A, Dwarka, New Delhi sold the same to the respondent no.2 for a total sale consideration of Rs.1.37 Crore, which led to the registration of aforesaid FIR at the instance of respondent no.2.

5. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 05.12.2019, which is annexed as Annexure P-2 to the present petition.

6. It is recorded in the settlement that the petitioners shall pay a total sum of Rs. 1.10 Crore to the respondent no.2. However, with the intervention of this Court, the petitioners agreed to pay further amount of Rs. 27 Lakhs to the respondent no.2.

7. It is stated that the petitioners has already paid a sum of Rs. 1.25 Crore, the receipt of which is acknowledged by respondent no.2.

8. The remaining amount of Rs.12 Lakhs has been paid to the respondent no.2 today in the court by the petitioners by way of Demand Draft bearing No.502642 dated 24/02/2025 issued by ICICI Bank, Dwarka Sector 17.

9. The receipt of entire amount of Rs.1.37 Crore is acknowledged by the respondent no.2, who has joined through VC.

10. The respondent no.2, who has joined through VC, on a query posed by the Court, affirms the factum of settlement and states that he has no objection in case the FIR is quashed.

11. At this stage, apt would it be to refer to the observations of the



Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303: (SCC p. 340, para 58)***

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

12. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.

13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

14. Consequently, the petition is allowed and the FIR No.0227/2019 under Sections 420/468/120B IPC registered at Police Station Sector-23 Dwarka, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

FEBRUARY 25, 2025

N.S. ASWAL