



\$~70

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

+ CRL.M.C. 5064/2025, CRL.M.A. 21938/2025

MANOJ KUMAR AND ANR

.....Petitioners

Through: Ms. Ruchika Rathi, Advocate with
petitioners.

versus

STATE (NCT OF DELHI) AND ANR

.....Respondents

Through: Ms. Priyanka Dalal, APP for the
State
SI Karan, P.S. Saket, Delhi.
R-2 through V.C. with counsel.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

%

30.07.2025

1. Petitioners herein seek quashing of an FIR No. 716/2018 dated 28.11.2018 under Sections 420, 467, 468, 471, 120B IPC, registered at P.S. Saket, New Delhi as well as quashing of all the proceedings emanating therefrom.
2. Disputes arose between the parties regarding the performance of obligations under the agreement dated 28.04.2017 and supplementary agreements dated 12.05.2017 and 21.08.2017, which led to the registration of the FIR by Respondent No. 2, alleging offences of cheating, criminal conspiracy, and forgery. The chargesheet was filed, however, no cognizance has been taken by the learned Trial Court till date.
3. Learned counsel for the Petitioners/ Accused persons submits that the parties have amicably resolved their disputes and executed a Memorandum of Understanding dated 21.04.2025, recording a full and



final settlement of all disputes.

3.1 Learned counsel for the Petitioners submits that Respondent No. 2/ Complainant has given an affidavit in support of the petition that he does not wish to pursue his complaint/FIR any further. It is further stated that the continuation of criminal proceedings, in the backdrop of a civil and commercial relationship which has now been amicably resolved, would amount to abuse of the process of law and would serve no fruitful purpose.

4. Learned counsel for Respondent No. 2 has confirmed the factum of settlement. The affidavit of Respondent No. 2, supporting the quashing of the FIR and associated proceedings is not disputed.

5. Learned APP for the State, upon instructions, confirms that although the charge sheet has been filed, no cognizance has been taken by the learned Magistrate so far.

6. In the aforesaid backdrop, I have heard learned counsel for the petitioner and the respondent as well perused the material available on record.

7. Petitioners are present in person, and I have interacted with the complainant, who has joined through video conferencing and has been identified by the IO.

8. Nature of dispute in any case seems to be civil and commercial in nature and has been given a colour of criminal culpability.

9. On a query to the Respondent 2, he candidly submits that he has entered into a compromise on his own volition without any duress or coercion and does not wish to press any charges against the petitioners in view of settlement arrived between them. Continuation of further



criminal proceeding especially when dispute does not involve any public interest or interest of the society at large, would be abuse of process of law and a drain on judicial resources.

10. The parties have amicably resolved their dispute, which is purely personal in nature, and allowing the prosecution to continue may not only foster animosity between the parties but also undermine the very purpose of the settlement.

11. Moreover, continuing with the trial would serve no meaningful purpose, would result in unnecessary judicial burden and, also frustrate the objective of settlement between the parties. Reference may be made to judgment rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]*** in this context.

12. Therefore, in the interest of justice, and exercising the inherent powers vested in this Court under Section 528 of BNSS, it is deemed appropriate to quash the FIR arising from this matrimonial dispute.

13. Consequently, the instant petition is allowed. FIR No. 716/2018 dated 28.11.2018 under Sections 420, 467, 468, 471, 120B IPC, registered at P.S. Saket, New Delhi and the criminal proceedings arising there from are hereby quashed.

14. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

JULY 30, 2025/akc