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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6561/2024 & CRL.M.A. 36680/2024**

UMESH JADHAV

.....Petitioner

Through: Mr. Rishi Raj Singh, Adv. with
petitioner through VC
Petitioner in person.

versus

STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for State with
SI Yashpal Singh PS Farsh Bazar
Mr. Rajiv Raheja, Adv. for R-2
Mr. Ravi Shankar Kumar, Adv. for
R-3
Respondent nos. 2 (through VC)
Respondent no.3 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

25.02.2025

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CRL.M.A. 36681/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 6561/2024 & CRL.M.A. 36680/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.173/2022 under Sections 420/34 IPC registered at Police Station Farsh Bazar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.



4. Notice in the petition was issued *vide* order dated 22.08.2024. The learned APP for the State submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed *qua* the petitioner, as well as, the respondent no.3.

5. The petitioner, as well as, respondent no. 2 has joined through VC. The respondent no.3 is present in Court. Insofar as respondent no.4 is concerned, he is stated to be declared as absconder. The parties have been identified by their respective counsel, as well as, by the Investigating Officer SI Yashpal Singh PS Farsh Bazar.

6. The case of the prosecution is that the petitioner and the respondent no.2 were having certain business dealings regarding which a dispute arose, which also led to the registration of aforesaid FIR at the instance of respondent no.2.

7. The learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the parties were referred to Delhi High Court Mediation and Conciliation Centre where the parties arrived at settlement terms whereof were reduced in writing in the form of Settlement dated 30.09.2024, which is annexed as Annexure P-2 to the CRL.M.A. 36680/2024.

8. It is a term of the settlement that the petitioner shall pay a full and final settlement amount of Rs. 16 Lakhs to the respondent no.2 in two equal instalments of Rs. 8 Lakhs each. The learned counsel appearing on behalf of the petitioner submits that the entire settlement amount of Rs. 16 Lakhs stands paid.

9. Mr. Rajiv Raheja, the learned counsel appearing on behalf of respondent no. 2, affirms the factum of settlement and acknowledges the fact



that the respondent no. 2 has received full and final settlement amount of Rs.16 Lakhs.

10. He further submits that the respondent no.2 has no objection in case the aforesaid FIR is quashed *qua* the present petitioner, as well as, respondent no.3.

11. Considering the fact that the present petition is predominantly of civil nature and the offence is also private in nature, this Court is of the view that no useful purpose will be served in continuing the proceedings. Even otherwise the chances of conviction of petitioner and respondent no.3 are bleak having regard to the fact that the respondent no. 2 has already settled the matter insofar as they are concerned.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed *qua* the petitioner and respondent no.3.

13. Consequently, the petition is allowed and the FIR No.173/2022 under Sections 420/34 IPC registered at Police Station Farsh Bazar alongwith all other proceedings emanating therefrom, is quashed *qua* the petitioner and respondent no.3.

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

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 25, 2025

N.S. ASWAL