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

+ CRL.M.C. 7654/2024 & CrI. M.A. 29200/2024

ASHWANI SINGH & ANR.

.....Petitioners

Through: Mr. Satish Chandra, Advocate along
with petitioners in person.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Aman Usman, APP for the State
with SI Ankur, PS Cyber Police
Station, North-East, Delhi
Mr. Bhagwan Sahu, Advocate for R-3
in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

03.02.2025

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1. The present petition has been filed under Section 482 Cr. P.C 1973 seeking quashing of FIR No. 08/2023 under Sections 420 IPC registered at Police Station Cyber Police Station, North East, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was already issued *vide* order dated 26.09.2024.
3. The petitioners, as well as, respondent no.3/complainant are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer/SI Ankur, Police Station Cyber Police Station, North-East, Delhi.
4. The case of the prosecution is that the petitioners had cheated the



respondent no. 3 for an amount of Rs. 1 lakh on the pretext that they will arrange a job for him. The incident led to the registration of the aforesaid FIR.

5. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof have been reduced into writing in the form of a Memorandum of Understanding/Compromise Deed dated 24.04.2024, a copy of which is annexed as Annexure-P3 to the present petition.

6. It is recorded in the settlement that the parties have arrived at a settlement voluntarily, without any pressure or coercion. The respondent no. 3 has been paid a sum of Rs. 1 lakh by the petitioners in full and final settlement of all his claim.

7. Respondent no. 3, who is present in Court affirms the factum of settlement between him and the petitioners, acknowledges the receipt of the settlement amount of Rs. 1 lakh. He further submits that he does not wish to prosecute the criminal proceedings in the aforesaid FIR and also states that he has no objections in case the aforesaid FIR is quashed.

8. In ***Parbatbhai Aahir vs. State of Gujarat (2017) 9 SCC 641***, the Supreme Court laid down as under:-

“...16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.



16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and”...

9. 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.

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

11. Consequently, the petition is allowed and the FIR No. 08/2023 under Sections 420 IPC registered at Police Station Cyber Police Station, North East, Delhi and all consequential proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 3, 2025

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