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

+ **W.P.(CRL) 4040/2025**

MAMTA DEVI @ MAMTA DEVI JAIN & ORS.Petitioners

Through: Mr. Jai Shankar, Ms. Nandita Rao,
Mr. Arun Mehta and Ms. Lochan
Rajpoot, Advs.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Amol Sinha, ASC for State with
Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Mr. Nitish Dhawan, Ms.
Chavi Lazarus and Ms. Sanskriti
Nimbekar, Advs. with ASI Hemant
Kumar, PS. Jagat Puri, Delhi.
Mr. Pragan Bindra and Mr. Praveen
Kumar, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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05.12.2025

CRL.M.A. 36319/2025 (exemption)

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

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3. The present petition has been filed under Section 482 BNSS, 2023 seeking quashing of FIR No.276/2025 under Sections 420/120B/34 IPC registered at Police Station Jagat Puri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. Mr. Amol Sinha, learned ASC for the State accepts



notice.

5. Petitioner nos.1 to 3, as well as, respondent no. 2, who are present in Court, have been identified by their respective counsel, as well as, by the Investigating Officer ASI Hemant Kumar, PS. Jagat Puri, Delhi.

6. The facts in brief giving rise to the present FIR, are that the petitioners committed a fraud upon respondent no.2 by executing another Agreement to Sell with regard to the same property in respect of which the petitioners had entered into a sale transaction with respondent no.2.

7. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 26.11.2025, which is annexed as Annexure B to the present petition.

8. It is a term of the settlement that the parties with the intervention of family and friends have resolved all their disputes amicably without any coercion or pressure or any undue influence.

9. It is also a term of the settlement that respondent no.2 will cooperate with the petitioners for the quashing of the present FIR.

10. 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”...

11. On a query posed by the Court, Respondent no.2 states that she has no objection in case the FIR is quashed.
12. The dispute is predominantly civil in nature. Further, 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.276/2025 under Sections 420/120B/34 IPC registered at Police Station Jagat Puri alongwith all other proceedings emanating therefrom, is quashed.
15. The petition stands disposed of in the above terms.
16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 5, 2025/dss