



2025:DHC:4439



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

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Date of Decision: 27.05.2025

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CRL.M.C. 3067/2025, CRL.M.A. 13607/2025, CRL.M.A. 13608/2025 & CRL.M.A. 13606/2025

MRS RUPINDER KAUR & ANR.

.....Petitioners

Through: Mr. G.S. Narula, Advocate.

versus

STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Ram Avtar.

Respondent No.2 in person through
video conferencing.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The petitioners seek quashing of FIR No.128/2013 of PS Vasant Vihar for offences under Section 420/471/467/468/120B/34 IPC. Learned APP accepting notice submits on instructions of Investigating Officer/SI Ram Avtar that offence under Section 174A IPC also was added in the FIR, but the present petition does not cover the same.



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2. The quashing of the FIR is sought solely on the ground of compromise arrived at between the petitioners and the complainant *de facto* (respondent no.2 herein).

3. As reflected from record, the petitioners did not appear before the Joint Registrar for recording their statement and submitted there that they apprehend arrest. Therefore, the matter was placed before this Court.

4. The complainant *de facto* (respondent no.2) appears through video conferencing and strongly opposes quashing of the FIR. It is stated by the complainant *de facto* (identified by Investigating Officer) that since the petitioners did not comply with terms of the settlement, he is not agreeable to quashing of this FIR.

5. Learned counsel for petitioners argues that in terms of settlement, the respondent no.2 was bound to join the petitioners in getting the FIR quashed. It is further submitted by learned counsel for petitioners that they remained under impression that the case automatically stands closed. As regards appearance before this Court, counsel for petitioners states that the petitioners would appear provided they are protected from arrest.

6. Learned APP on instructions of the Investigating Officer discloses that the petitioners have already absconded and declared proclaimed offenders. Anticipatory bail applications of the petitioners are already



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pending before the Court of Sessions.

7. In above circumstances, as is obvious, as on date there is no settlement between the parties so far as the issue of quashing the FIR is concerned and in view of the pendency of anticipatory bail applications of the petitioners after they were declared proclaimed offenders, I find no reason to extend any protection.

8. Therefore, I find it not a fit case to quash the FIR No.128/2013 of PS Vasant Vihar for offences under Section 420/471/467/468/120B/34 IPC.

9. Learned counsel for petitioners requests that his request may be taken on record for placing the matter before the Joint Registrar where the petitioners shall appear and try to settle the matter. But that would be putting cart before the horse. First, it is the parties who have to be clear that they have compromised the disputes. Only thereafter, the matter can be proceeded further. But here, what the petitioners want is that first the matter be proceeded further and later they would make the complainant *de facto* agree to the settlement. Besides, in such situations, it is not unprecedented that the Court of Sessions dealing with bail applications is misguided by stating that settlement issues are pending before the High Court. The fact remains that as on date the complainant *de facto* is not ready for quashing on the basis of settlement; and as mentioned above, apart from the ground of



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settlement no other ground for quashing has been raised.

10. The petition is dismissed. Pending applications also stand disposed of.

**GIRISH KATHPALIA
(JUDGE)**

MAY 27, 2025/ry