



2025:DHC:7208



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 22.08.2025

+ CRL.M.C.5809/2025 & CRL.M.A. 24833/2025 EXEMPTION
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DELAY OF 93 DAYS IN RE-FILING

HARIKANT TRIPATHI

.....Petitioner

Through: Mr. Rahul Tripathi, Mr. Rohit
Tripathi, Advs. with petitioner
through VC.

versus

THE STATE OF NCT OF DELHI AND ANR

... Respondents

Through: Mr. Aman Usman, APP with SI
Pardeep.Mr. Vineet Chaudhary, Mr.
Santosh Chaudhary, Advs. for
R-2 with R-2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 14/2011, dated 19.01.2011, registered at P.S Badarpur, Delhi under Sections 420/468/471/448/120B/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, Respondent No. 2, alleged that he purchased a 50 sq. yard plot in Badarpur on 10.08.2009 from person namely Ramesh Dogra through petitioner. Petitioner kept the



original papers with him on the pretext of notarization and later, petitioner in collusion with a person namely Dr. Anil Kumar Bhalla fabricated fake documents, claimed joint ownership and took possession of the aforesaid plot. Chargesheet has since been filed under sections 420/468/471/448/IPC against the petitioner.

3. During the course of proceedings, the parties amicably resolved their disputes and the terms of the compromise were reduced into writing in the form of a Settlement dated 17.12.2022 at Delhi Mediation Centre, Saket Court, New Delhi. In terms of the aforesaid settlement, parties have agreed to sell their jointly owned properties and share the sale proceeds equally i.e. 50%-50% between the parties. Copy of the Settlement dated 17.12.2022 has been annexed as Annexure P-3.

4. Parties have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Pardeep, from PS Badarpur.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and he has no objection if the FIR No. 14/2011 is quashed against the petitioner. Petitioner agrees to divide the sale proceeds from the jointly owned plots equally with respondent no. 2.



6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 14/2011 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.



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10. The petition is allowed, and the FIR No. 14/2011, dated 19.01.2011, registered at P.S Badarpur, Delhi under section 420/468/471/448/120B/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing the cost of Rs. 25,000/- with DSLSA within a period of one month.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

August 22, 2025

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