



2025:DHC:4544



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

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Date of decision: 28.05.2025

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CRL.M.C. 2010/2025

DIVESH KUMAR DUTTA

.....Petitioner

Through:

Petitioner in person along with
Mr. Prabhash Kumar, Mr.
Shavej Khan, Ms. Jyoti, Mr.
Mukesh Kumar & Ms. Richa,
Advocates

versus

STATE (GNCT OF DELHI) & ANR.

... Respondents

Through:

Ms. Shubhi Gupta, APP for the
State with SI Pradeep Kumar,
PS Cyber North West
Respondent No. 2 through VC
Mr. Mohit Yadav & Mr. Sunil
Kumar, Advocates for R-2**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, 2023, seeking quashing of FIR No. 0020/2024, dated 20.03.2024, registered at P.S Cyber Police Station North West under section 420 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. On 20.03.2024, the Petitioner fraudulently received the amount of Rs. 2,33,000/- from the complainant/Respondent No.2 under the pretext of a Google review business. Thereafter, Respondent No. lodged the aforesaid FIR against the Petitioner.

3. During the proceedings, the parties amicably resolved their disputes and executed a MoU/Settlement Deed dated 09.12.2024. In pursuance of the Settlement, the Petitioner has paid Rs. 2,33,000/- (Rupees two lacs thirty three thousand) to the Respondent No.2 as full and final settlement. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn. The copy of MoU/Settlement Deed dated 09.12.2024 has been placed on record as Annexure P-3.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“20.05.2025

In compliance of direction given in previous order, the IO has filed status report. The same is on record.

In FIR No. 20/2024, under Section 420 IPC, registered with PS Cyber Police Station, North West, New Delhi pertaining to the present petition, the cheated amount was received in two accounts pertaining to the petitioner/accused Mr. Divesh Kumar Dutta and in one account of his wife.

As per report submitted by the IO and the submissions made it is revealed that with respect to the two accounts of the petitioner and



one account of his wife, in which the cheated amount was received, with respect to them in total 10 complaints/receipts/acknowledgement have been generated/registered at NCRB portal reflecting that the cheated amount of other persons have also been traced in the account of the petitioner and his wife.

To be precise, one account of the petitioner has one other acknowledgement against it and his other account has 8 other acknowledgement registered against it and his wife account has two acknowledgement registered.

IO further submits that as far as investigation in the abovementioned FIR is concerned, no amount with respect to the abovementioned FIR were withdrawn by the petitioner or his wife; and the entire money could be traced to have been transferred to a foreigners accounts who has absconded.

The statement of Respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 08.05.2025.

Considering the nature of offence; and the fact that the account of petitioner is involved in receiving cheated amount from other victims/complainants as well as the matter is "**RED Flagged**".

Let this pre-verified statement along with this order be placed before the Hon'ble Court on **28th May, 2025**.

5. Petitioner is physically present before the Court while respondent No. 2 has entered their appearance through VC with respective counsels. They have been identified by their respective counsels as well as by the Investigating Officer SI Pradeep Kumar PS Cyber North West.

6. Respondent No.2 confirms that the matter has been settled with the Petitioner without any force, fear, coercion and he has received the



payment of Rs. 2,33,000/- (Rupees two lacs thirty three thousand) from the Petitioner. It is further submitted that he has no objection if the FIR No. 0020/2024 is quashed against the Petitioner.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0020/2024 is quashed.

8. 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."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0020/2024, dated 20.03.2024, registered at P.S Cyber Police Station North West under section 420 IPC and all the other consequential proceeding emanating therefrom.



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10. In the interest of justice, the petition is allowed, and the FIR No. 0020/2024, dated 20.03.2024, registered at P.S Cyber Police Station North West under section 420 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 28, 2025/AK

