

# Froot Trip Pvt Ltd & Ors. vs The Nct Of State & Anr. on 9 April, 2025

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 09.0

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W.P.(CRL) 991/2025 & CRL.M.A. 9368/2025 EXEMPTION  
FROOT TRIP PVT LTD & ORS. ....Peti

Through: Mr. Ajay Paul Marken, Adv  
through VC.  
Petitioners through VC.

versus

THE NCT OF STATE & ANR. ....Respondents

Through: Mr. Sanjay Lao, SC with Mr.  
Priyam Aggarwal, Mr. Abhinav  
Kumar Arya and Mr. Aryan  
Sachdeva, Advs. with SI Vijay  
Dahiya, PS-Prashant Vihar.  
Mr. Nitin Sehgal, respondent  
No. 2 through VC.

CORAM: -

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a writ petition under Article 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 126/2018, dated 13.03.2018, P.S Prashant Vihar under sections 420/467/468/471/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. It was alleged that the Petitioners, who run a travel agency, had assured Respondent No.2 of providing a UK tour package for him and his family. However, after reaching the UK, the Respondent and his family were allegedly provided fake return tickets. Subsequently, one of the Respondent's friends visited the Petitioners in India, upon which the Petitioners took Rs. 1,00,000/- to issue proper return tickets. After their return, the Respondent No.2 visited the Petitioners seeking refund of the said amount, but it was not returned despite repeated assurances, leading to the registration of the aforesaid FIR.

3. During the pendency of the investigation, the matter was amicably resolved through the intervention of mutual friends and respected members of the society. The Petitioners tendered an apology and Respondent No.2 forgave them, acknowledging the Petitioners' assistance in safely

returning his family from the UK. Consequently, both parties entered into a Settlement Deed/Memorandum of Understanding dated 05.03.2024. The copy of Settlement Agreement dated 05.03.2024 has been placed on record as Annexure B.

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

"27.03.2025 Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 is an Advocate by profession himself. Respondent no. 2 lodged FIR No. 126/2018, Under Section 420/468/467/471/34 IPC, registered at PS Prashant Vihar, Delhi. The charge sheet has not been filed till date.

The petitioners had defrauded Respondent no. 2 by taking money with assurance to provide a travel package to UK, however when Respondent no. 2 along with her family and other friends reached UK, they found that there was no package available as per the assurance. Resultantly, the present FIR was lodged.

Respondent no. 2 states that he has voluntarily without any pressure or coercion from anyone and with the intervention of friends and colleagues and after obtaining due legal advice entered into MOU/settlement deed executed on 15.03.2024 and have settled all his issues, disputes and grievances with the respondent. The MOU is on record as Annexure B at page 41 to 44 bearing his signatures.

Respondent no. 2 further states that he has voluntarily and amicably resolved all his issues and disputes with the petitioner keeping in consideration that the petitioners assisted the whole family of the respondents with a safe return from UK by providing Air Tickets at their costs and have tender apology for the difficulty cost.

Respondent no. 2 has no objections, if the FIR No. 126/2018, Under Section 420/468/467/471/34 IPC, registered at PS Prashant Vihar, Delhi and all proceedings emanating there from are quashed against the petitioner.

All their issues and disputes stands settled/resolved in terms of above referred MOU. Accordingly, in terms of compliance of the settlement.

Respondent no. 2 does not wish to pursue the abovesaid FIR registered by me against the petitioners. Respondent no. 2 has no objection whatsoever if the abovesaid FIR against the petitioners and all proceedings emanating there from is quashed.

Respondent no. 2 has also given his affidavit of no objection for quashing of the present FIR which is on record at page no. 29 of the petition bearing his signatures.

Respondent no. 2 has been identified by IO. This pre verified report along with the petition may be placed before the Hon'ble Court on 09th April, 2025 alongwith the statements recorded today."

6. Petitioners and Respondent no. 2 has entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Vijay Dahiya, PS-Prashant Vihar from PS Prashant Vihar.

7. Respondent no. 2 submits that the matter has been settled with the petitioners and he has no objection if the FIR is quashed against the petitioners.

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

9. 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."

10. 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. 126/2018, dated 13.03.2018, P.S Prashant Vihar under sections 420/467/468/471/34 IPC and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 126/2018, dated 13.03.2018, P.S Prashant Vihar under sections 420/467/468/471/34 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J APRIL 9, 2025/r/sky