

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

+ **CRL.M.C.No.1039/2007**

% **Date of Decision: 03.09.2008**

Varinder Kumar Sharma & Others Petitioners
Through Mr.R.N.Sharma, Advocate.

Versus

State (Govt. of NCT of Delhi) Respondent
Through Mr.R.N. Vats, APP for the State.
SI Rajeev Bhardwaj, EOW.

CORAM:

HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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The petitioner No.2 is present with his counsel. The learned counsel for the petitioners contend that petitioner No.2/complainant has settled the matter with the petitioner No.1 and all the amount settled with the complainant has been paid to him and in the circumstances no useful purpose shall be served in continuing the proceedings pursuant to FIR No.469/2006 under Sections 420/406/120B of Indian Penal Code registered at Police Prasad Nagar against the petitioner No.1 only in the facts and circumstances.

Let the statement of petitioner No.2 be recorded.

Statement of petitioner No.2 has been recorded who has been identified by the learned counsel for petitioners. From the statement of petitioner No.2 and the averments made in the petition it is apparent that no useful purpose shall be served in view of the settlement arrived at between the complainant/petitioner No.2 and petitioner No.1. It shall also be in the interest of justice to quash the said FIR and all the proceedings emanating therefrom against petitioner No.1. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to quashing of the said FIR and all the proceedings emanating therefrom against petitioner No.1.

In the totality of facts and circumstances, FIR No.469/2006 under Sections 420/406/120B of Indian Penal Code registered at Police Prasad Nagar and all the proceedings emanating therefrom against the petitioner No.1 only are quashed.

The petition is disposed of.

Dasti.

September 03, 2008

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ANIL KUMAR, J.