

% 23.11.2009

Present : Mr. Praveen Chauhan, Adv. for the petitioner.
Mr. Pawan Bahl, APP for the State.
Mr. Arun Pathak, Adv. for the R-3.

Crl. M. C. No. 1939/2008 and Crl. M.A. No. 7038/2008

1. This is a petition seeking quashing of the FIR no. 190/2008 under Sections 420/406/506/120B registered at P.S. Okhla Industrial Estate, Delhi on the ground that the matter has been settled by the petitioner/accused persons with the respondent no.3/company which had put the criminal justice machinery into motion for getting the FIR register. On behalf of the respondent no.3/company an affidavit by Sh. V. K. Sureka, s/o Late Sh. Sita Ram Surek, r/o R 14-B, South Ext., Part-II, New Delhi is filed and the same is on record. In this affidavit it has been stated that he is duly authorized representative to give statement on behalf of the respondent no.3/company vide board resolution dated 3rd May, 2008 that the company has compromised the matter with the present petitioner, and therefore, would not like to pursue the FIR lodged the them.
2. On 28th February, 2009 Sh. V. K. Sureka was present in Court and he had made a similar statement, and therefore, filed the affidavit in this regard. The present affidavit is in pursuance to the said order. I am satisfied from the averments made in the petition as well as affidavit filed by the complainant/company through its authorized

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representative that the matter has been settled and no useful purpose would be served by keeping the FIR no. 190/2008 under Sections 420/406/506/120B registered at P.S. Okhla Industrial Estate, Delhi and the consequent proceeding alive. According the FIR no. 190/2008 under Sections 420/406/506/120B registered at P.S. Okhla Industrial Estate, Delhi and consequent investigation which has been done by the local police are quashed. However, this shall be subject to the fact that the petitioners shall deposit a sum of Rs.50,000/- each with the Delhi High Court Legal Aid and Advise Committee by way of cost. The aforesaid cost has been imposed on both the petitioners on account of the fact that their conduct, time and the energy of the State has been wasted not only in registering the FIR but also getting the same investigated which is almost complete. An amount of Rs.50,000/- shall be deposited within two weeks from today. A copy of the deposit receipt shall be filed in Court as well as before the IO.

3. Post the matter on 16th December, 2009 before the learned Registrar for the purpose of ensuring the compliance of the aforesaid


V.K.SHALI, J.

NOVEMBER 23, 2009
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