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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 2780/2011

MOHD. ABULLAS @ ABDUL & ORS

..... Petitioner

Through Mr. Subodh Kr. Pathak, Adv. for the
petitioner.

versus

GOVT OF NCT OF DELHI

..... Respondent

Through Ms Jasbir Kaur, APP
Ms Urmil Verma, Adv. for R-2 to R-4

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

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17.11.2011

This petition under section 482 Cr.P.C. has been filed for quashing of FIR No. 1130/2000, P.S. Nangloi, under section 279/304A IPC.

Petitioners Mohammad Abullas and Anil Kumar Gupta are present in person with counsel. Complainant Smt. Sushila wife of deceased Bhoop Singh is also present with her counsel. The parties have been identified by their respective counsel. Petitioner No. 3 Sushila is the wife of deceased Bhoop Singh whereas petitioner No. 4 and petitioner No. 5 are her daughter and son respectively.

It is stated that the parties have arrived at a settlement for a total sum of Rs.4,25,000/- out of which an amount of Rs.2,00,000/- has already been paid to Sushila, the complainant, in cash and Rs.75,000/- paid today in the

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court. A sum of Rs.1,50,000/- is stated to be lying deposited in this court. As per the settlement between the parties and the order dated 21.10.2011 of the Division Bench of this Court passed in LPA No. 1120/2004, this amount may be released to the complainant Sushila by this court along with the accrued interest thereon. The order regarding interest is being passed in variance to the order of the Division Bench because the cost which was to be paid by the petitioners Mohammad Abullas @ Abdul and Anil Kumar Gupta stands adjusted towards that interest. The entire payment is being made to Smt. Sushila because she intends to buy some immovable property for better investment.

In view of this, the claimant Smt. Sushila and her children are left with no claim of any kind against both the petitioners Mohd. Abullas @ Abdul and Anil Kumar Gupta. Consequently, FIR No. 1130/2000, P.S. Nangloi, under section 279/304A IPC and all proceeding emanating there from are hereby quashed.

The petition stands disposed of. Dasti under the sign of Court Master.


M.L. MEHTA, J

NOVEMBER 17, 2011
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