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

\+ CRL.M.C. 2840/2013

SHEIKH HASMAT & ORS ..... Petitioners

Through: Mr.Parvez A. Siddiqui with Mr.Sunil Sagar, Advocates

versus

STATE & ORS ..... Respondents

Through: Mr.Pawan Sharma, St.Counsel for State.
Mr.T.C. Sagar, Adv. for R-2 alongwith Mr.Yugul Kishore Aggarwal, Authorised Representative.
S.I. Mukesh Kumar.

AND

\+ CRL.M.C. 2841/2013

SHEIKH HASMAT & ORS ..... Petitioners

Through: Mr.Parvez A. Siddiqui with Mr.Sunil Sagar, Advocates

versus

STATE & ORS ..... Respondents

Through: Mr.Pawan Sharma, St.Counsel for State.
Mr.T.C. Sagar, Adv. for R-2 alongwith Mr.Yugul Kishore Aggarwal, Authorised Representative.
S.I. Mukesh Kumar.

AND

\+ CRL.M.C. 2842/2013

SHEIKH HASMAT & ORS ..... Petitioners

Through: Mr.Parvez A. Siddiqui with Mr.Sunil Sagar, Advocates

versus

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STATE & ORS ..... Respondents

Through: Mr.Pawan Sharma, St.Counsel for State.
Mr.T.C. Sagar, Adv. for R-2 alongwith
Mr.Yugul Kishore Aggarwal, Authorised Representative.
S.I. Mukesh Kumar.

CORAM:
HON'BLE MS. JUSTICE VEENA BIRBAL

ORDER

% **24.07.2013**

CRL.M.A.10831/2013 in CRL.M.C. 2840/2013
CRL.M.A.10832/2013 in CRL.M.C. 2841/2013
CRL.M.A.10833/2013 in CRL.M.C. 2842/2013

Allowed, subject to just exceptions.

CRL.M.C. 2840/2013, CRL.M.C. 2841/2013 & CRL.M.C. 2842/2013

Notice.

Learned counsel for State accepts notice.

The counsel for respondent no.2 is also present and accepts notice.

With the consent of parties the matter is taken up for final disposal.

These petitions under Section 482 Cr.P.C. are for quashing of three FIRs i.e. FIR No.164/2001 under Section 406 IPC at P.S. Parliament Street, FIR No.166/2001 under Section 406 IPC at P.S. Parliament Street and FIR No.175/2001 under Section 406 IPC at P.S. Parliament Street registered against the petitioners as well as subsequent proceedings arising therefrom pending in the court of learned M.M., Patiala House Courts, New Delhi.

It is stated that a lease agreement was entered into between the complainant/respondent no.2 company and petitioners' firm in December

1990. In terms of that, the petitioners' firm was required to pay a sum of Rs.1,44,340/- per month as lease amount for a period of 36 months. Subsequently, the payment schedule was changed. Some instalments were given by the petitioners and thereafter due to non payment of complete amount, the aforesaid three FIRs were registered against the petitioners.

During the pendency of proceedings before the learned M.M., the matter was referred to Delhi High Court Mediation and Conciliation Centre wherein the matter has been settled. The settlement agreement between the parties is at page 34 of the paper book. It is stated that in terms of settlement, the petitioners have already paid Rs.30 lakhs to the respondent no.2 by way of demand draft, the details of which given on page 39 of paper book and there is acknowledgement of learned counsel for respondent no.2 of having received the bank drafts stated therein. The balance amount of Rs.1 lakh in terms of settlement agreement has been given today by way of bank draft in the name of respondent no.2.

The authorised representative of respondent no.2 is also present along with counsel for respondent no.2. The authority letter in his name is at page 14 of the paper book. The respondent no.2 has also filed an affidavit wherein it is stated that respondent no.2 has no objection in quashing of aforesaid FIRs and subsequent proceedings arising therefrom and they have also confirmed the above position.

Learned counsel for State has stated that some costs be imposed on the petitioners for using State machinery and precious time of the court.

Considering that the present is a dispute of civil nature and the parties have amicably settled the matter and payment in terms of settlement has been given to respondent no.2, there is no point in keeping the aforesaid

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FIRs pending. Accordingly, the aforesaid three FIRs and subsequent proceedings arising therefrom are quashed. The petitioners shall deposit Rs.15,000/- as costs with Prime Minister's National Relief Fund to be utilised towards Uttrakhand tragedy within two weeks from today.

List for reporting compliance on 08.08.2013.

Dasti.

VEENA BIRBAL, J

JULY 24, 2013
srb

- proof of payment to be filed