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

+ W.P.(CRL) 288/2014

SHYAM SUNDER KARNANI & ORS Petitioners
Through : Mr. Samrat Nigam, Adv.

versus

STATE & ANR Respondents
Through :Mr. Rajesh Mahajan, ASC with Ms.
Namita Sharma, Adv. with SI Vikas,
P.S. Subhash Place
Mr. A. Maitri, Adv. for respondent
no. 2 with respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **18.05.2015**

By this writ petition under Article 226 of the Constitution of India read with section 482 Cr.P.C., petitioner has prayed for quashing of the FIR No. 74/2014 under Sections 409/420/120-B IPC registered at Police Station Saraswati Vihar on the complaint of respondent no. 2.

During the pendency of the petition, petitioners and respondent no. 2 have settled their disputes amicably on the terms and conditions as stipulated in the Memorandum of Understanding dated 13th May, 2015, a photocopy whereof has been taken on record. Original Memorandum of Understanding has been perused and returned.

Respondent no. 2 is present in Court and has confirmed that the Memorandum of Understanding has been signed by him at points “X”, on all the pages. He submits that he has no objection in case FIR is quashed in view of the settlement arrived at between him and the petitioners.

Respondent no. 2 has alleged in the FIR that in the year 2004, he had invested ₹2,24,00,000/- in the project namely M/s. Super Mall Private Limited situated at Karnal. Respondent no. 2 has alleged that petitioners are the Directors of M/s. Super Mall Private Limited and had not returned his investments. It is alleged that Directors of M/s Super Mall Private Limited had induced him to invest in the project by representing that respondent no.2 will get handsome profits on his investment.

As per the Memorandum of Understanding, petitioners have given space equivalent to the investments in the said mall. Petitioners have agreed to execute the Sale Deed in favour of respondent no. 2, in terms of the Memorandum of Understanding. Parties shall remain bound by the terms and conditions as stipulated in the Memorandum of Understanding.

Keeping in mind that parties have settled their disputes amicably, inasmuch as disputes have civil flavour, in the interest of justice, FIR No. 74/2014 under Sections 409/420/120-B IPC registered at Police Station

Saraswati Vihar and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MAY 18, 2015
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