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

+ W.P.(CRL) 938/2014 and CrI. M.A. No. 7317/2014

SURESH BAGLA & ORS

..... Petitioners

Through :Mr. S.N. Gupta and Ms. Nishtha
Garg, Advs.

versus

STATE & ANR

..... Respondents

Through :Mr. Rajesh Mahajan, ASC with Ms.
Namita Sharma, Adv. and SI
Manmohan Ahuja, P.S. Model Town
for respondent no. 1
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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26.05.2015

On the oral prayer made by the learned counsel for petitioners, accused Dharam Pal and Raj Kumar are impleaded as respondent nos. 3 and 4. Amended memo of parties be filed during the course of the day.

By this writ petition under Article 226 of the Constitution of India, read with Section 482 Cr.P.C., petitioners have prayed for quashing of FIR No. 192/2014 under Sections 420/406/468/471/120-B IPC registered at Police Station K.W. Camp/Model Town registered on the complaint of respondent no. 2. Apart from present petition, there are 13 other disputes pending between one or the other parties. Petitioners and respondent no. 2

have settled their disputes before Delhi High Court Mediation and Conciliation Centre on 22nd May, 2015 on the terms and conditions as stipulated in Settlement Agreement “Mark C-1”. In terms of the settlement with regard to the present FIR, petitioners have paid ₹43 lacs through post dated cheques commencing from 15th June, 2015, photocopies whereof have been placed on record. Respondent no. 2 has accepted these cheques subject to realization. He submits that FIR may be quashed subject to realisation of cheques. Parties shall remain bound by the terms of settlement.

In view of the settlement arrived at between the parties, FIR No. 192/2014 under Sections 420/406/468/471/120-B IPC registered at Police Station K.W. Camp/Model Town and the consequent proceedings emanating therefrom are quashed, subject to, however, encashment of the cheques. If any of the cheque is returned ‘dishonoured’, FIR shall stand revived. After all the cheques are encashed, original documents furnished by the petitioners to Investigating Officer, be returned to them by the Investigating Officer.

Writ petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

MAY 26, 2015/rb