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

+ W.P.(CRL) 1998/2014

SURENDER GAHLOT & ANR. Petitioners

Through : Mr. Vijay Kumar Ravi, Adv.

versus

GOVT. OF NCT OF DELHI & ORS. Respondents

Through :Mr. Sanjiv Bhandari, ASC with Mr.
Manoj Bhandari, Adv. with SI
Dharmendra Kumar, P.S. EOW for
respondent nos. 1 & 2
Mr. Atul Shanker and Mr. Vivek
Mathur, Adv. for respondent no. 3

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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24.04.2015

Petitioners seek quashing of FIR no. 181/2008 under Sections 420/467/468/471/120-B IPC registered at P.S. Economic Offences Wing on the complaint of respondent no. 3. It is submitted that a civil suit being CS(OS) No. 1227/2008 was filed by respondent no. 3 against Smt. Murti Devi (since deceased) and the petitioners herein, wherein a settlement was arrived at between respondent no. 3 and the petitioners and pursuant thereof a decree has been passed by a learned Single Judge of this Court on 21st October, 2011. A decree of possession has also been passed in favour of

respondent no. 3 and against petitioner no. 1. Sub-Registrar was also directed to take notice of cancellation of the Sale Deed dated 9th October, 2007 and to make necessary entries in the records. Revenue Authority was also directed to strike off the mutation in favour of petitioner no. 1 in the revenue records. Same property and documents are involved in this FIR.

It is alleged in the FIR that petitioners had conspired with Smt. Murti Devi and a forged GPA was prepared in favour of Smt. Murti Devi, who in turn executed another GPA in favour of petitioner no. 2. Thereafter, petitioner no. 2 executed the Sale Deed dated 9th October, 2007 in favour of petitioner no. 1 in respect of the land owned by the respondent no. 3 being part of Khasra No. 503/1, Village Mundka. The said land was purchased by the respondent no. 3 from one Shri Jai Narain vide a Sale Deed dated 10th December, 1987, inasmuch as her name was mutated in the revenue records. According to respondent no. 3, petitioners had prepared the forged documents.

Charge-sheet has already been filed in the trial court and trial is stated to be pending.

Quashing of FIR has been prayed on the ground of settlement. Respondent no. 3 is represented by her counsel, who has filed Vakalatnama

on record. He submits that respondent no. 3 does not wish to pursue the FIR any further in view of the settlement arrived at between the parties in CS(OS) No. 1227/2008, therefore, FIR may be quashed.

Keeping in mind that petitioners and respondent no. 3 have settled their disputes amicably during the pendency of civil suit, pursuant whereof suit has been disposed of, no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR no. 181/2008 under Sections 420/467/468/471/120-B IPC registered at P.S. Economic Offences Wing and the consequent proceedings emanating therefrom are quashed, subject to each of the petitioners depositing ₹25,000/- with Bar Council of Delhi Advocates Welfare Fund within two weeks. Receipts be filed in the Registry and copies thereof be provided by the petitioners to the Investigating Officer.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

APRIL 24, 2015

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