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

Judgment delivered on: 30th October, 2015

+ **CRL.M.C. No.3807/2015**

SAHIL NARANG & ANR

..... Petitioners

Represented by: Mr.Vinod Dubey, Adv with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Mukesh Kumar, APP for
the State with SI Durgadass,
PS Saket, New Delhi for R1.
Mr.Ashok Kumar Shukla,
Adv for respondent No.2
with R2 in person.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. Vide the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR No.200/2015 registered at Police Station Saket for the offences punishable under Sections 406/420 of the IPC and the consequential proceedings emanating therefrom against them.

2. Learned counsel appearing on behalf of the petitioners submit that the aforesaid case was registered on the complaint of respondent No.2, Nikhil Chanana and matter is pending investigation with the police. Meanwhile, the respondent No.2 has amicably settled his disputes with

the petitioners vide Compromise Deed dated 04.09.2015 for a total sum of Rs.1.50 Lac, which has already been paid to him by the petitioners. On receipt of agreed amount, respondent No.2 is no more interested to pursue his case anymore against them and has no objection, if the present petition is allowed.

3. Respondent No.2 is personally present in the Court through learned counsel, above named. For his identification, produced the original driving licence bearing No.4284/2002 having validity till 30.09.2022 issued by the MLO, Faridabad, Haryana. Original seen and returned to him. Learned counsel for respondent No.2 under instructions does not dispute as to what is stated by learned counsel for petitioners and consequent to settlement and receipt of entire amount, respondent No.2 does not wish to pursue this case further and has no objection if the present petition is allowed.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that matter is at the initial stage of investigation. Since the parties have amicably settled the matter and the respondent No.2/ complainant does not wish to pursue the case against the petitioners, therefore, looking to the overall circumstances, no useful purpose will be served in continuing the proceedings. Thus, the State has no objection if the present petition is allowed.

5. Undisputedly, offence punishable under Section 406/420 of the IPC is compoundable and matter is pending investigation with the police. As such, parties invoked the jurisdiction of this Court under Section 482 Cr P C, instead of moving learned Trial Court for compounding the matter.

6. Both the parties who are present in the Court today, approbate the aforesaid settlement dated 04.09.2015 and undertake to remain bound by the same.

7. In view of the above discussion, considering the settlement arrived at between the parties and the statement of respondent No.2 and the learned counsel for the State, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility.

8. Consequently, FIR No.200/2015 registered at Police Station Saket for the offences punishable under Sections 406/420 of the IPC and all proceedings emanating therefrom, are hereby quashed.

9. In view of the above, the present petition is allowed.

**SURESH KAIT
(JUDGE)**

OCTOBER 30, 2015

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