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

Judgment delivered on: 20th November, 2015

+ CRL.M.C. 4226/2015

VIJENDER AGGARWAL

..... Petitioner

Represented by: Mr. Murari Lal Sharma, Adv.

versus

THE STATE (GNCT DELHI) & ANR

..... Respondents

Represented by: Mr. Kamal Kr. Ghei, APP for
State.

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, petitioner seeks directions thereby quashing of FIR No.218/2015 registered at Police Station New Usmanpur, Delhi for the offences punishable under Sections 420/406 of the IPC and the consequential proceedings emanating therefrom against them.

2. Learned counsel appearing on behalf of the petitioner submits that the aforesaid case was registered on the complaint of respondent No.2, Deepak Garg and matter is pending investigation with the police. Meanwhile, the parties approached Delhi Mediation Centre, Karkardooma Courts, Delhi and settled their disputes on 11.05.2015. Thus, respondent no. 2 does not want to pursue the case further against the petitioner.

3. Respondent No.2 is personally present in the Court. For his

identification he has produced his Driving Licence being no. P05042003236118. Original seen and returned to him. Respondent No.2 does not dispute as to what is stated by learned counsel for petitioner and submits that he has settled the disputes with the petitioner and if the present petition is allowed, he has no objection.

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 420/406 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 are present in the Court today approve to the aforesaid settlement dated 11.05.2015 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.218/2015 registered at Police Station New Usmanpur, Delhi for the offences punishable under Sections 420/406 of the IPC and all proceedings emanating therefrom are hereby quashed against the petitioner.

9. Accordingly, the present petition is allowed.

**SURESH KAIT
(JUDGE)**

NOVEMBER 20, 2015

JG