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

Judgment delivered on: 20th November, 2015

+ CRL.M.C. 4699/2015

SUSHIL KUMAR & ORS

..... Petitioners

Represented by: Mr. G.P. Thareja and
Mr. Piyush Jain, Advs.

versus

THE STATE (GOVT OF NCT OF DELHI)
& ANR

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for State with SI Santosh Kumar, PS-Mayapuri.
Mr. Jaideep Malik, Adv. for R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

Crl. M.A. 16883/2015 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

+ **CRL.M.C. 4699/2015**

1. Vide the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek directions quashing of FIR No.213/2006 registered at Police Station Mayapuri for the offences punishable under Sections 420/34 of the IPC and the consequential proceedings emanating therefrom against them.

2. Learned counsel appearing on behalf of the petitioners submits that the aforesaid case was registered on the complaint of respondent No.2,

Ravi Singhania. Meanwhile, both the parties approached the Delhi High Court Mediation and Conciliation Centre, New Delhi and settled their disputes vide settlement dated 16.10.2015. Thus, respondent No.2 does not want to pursue the case further against the petitioners.

3. Respondent No.2 is personally present in the Court with his Counsel. He has been duly identified by SI Santosh Kumar, Investigating Officer of the case. Ld. Counsel on instructions submits that the matter has been settled between the parties and respondent no. 2 has no complaint whatsoever against the petitioners and if the present petition, he has no objection.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that after investigation, police has filed the chargesheet, charges have been framed and the case is pending for prosecution evidence. Since the parties have amicably settled the matter and the respondent No.2/complainant does not wish to pursue the case further 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 of the IPC is compoundable. 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, approbate to the aforesaid settlement dated 16.10.2015 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.213/2006 registered at Police Station Mayapuri for the offences punishable under Sections 420/34 of the IPC and all proceedings emanating therefrom are hereby quashed against the petitioners.

9. Accordingly, the present petition is allowed.

**SURESH KAIT
(JUDGE)**

NOVEMBER 20, 2015

JG