

\$~21

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

Judgment delivered on: 16th December, 2015

+ **CRL.M.C. No.5100/2015**

VIKAS SINGLA & ANR

..... Petitioners

Represented by: Mr.Ravi Dahiya, Adv with
petitioners.

versus

STATE (G N CT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Hirein Sharma, APP for
the State with SI Vikram
Singh, PS Mianwali Nagar.
Mr.Rajat Aneja and Ms.Shifa
Nagar, Advs for R2 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.346/2015 registered at Police Station Mianwali Nagar, Delhi for the offences punishable under Sections 420/120-B/34 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, Rajender Parsad Bansal 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 10.12.2015. The petitioners have complied with all the terms of settlement, thus, 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. Learned counsel for respondent No.2 under instructions does not dispute as to what is stated by learned counsel for petitioners and submits that consequent to settlement, petitioners have complied with all the terms thereof; therefore, 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 420/120B/34 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 before learned Trial Court for compounding the matter.

6. Both the parties who are present in the Court today, approbate the aforesaid settlement dated 10.12.2015 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 Nos.1 and 2, 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.346/2015 registered at Police Station Mianwali Nagar, Delhi for the offences punishable under Sections 420/120B/34 of the IPC and all proceedings emanating therefrom, are hereby quashed.

9. Accordingly, the present petition is allowed.

**SURESH KAIT
(JUDGE)**

DECEMBER 16, 2015

M