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

Judgment delivered on: 21st December, 2015

+ **CRL.M.C. No.5190/2015**

SUMAN LATA

..... Petitioner

Represented by: Ms.Geeta Luthra, Senior
Advocate with Mr.Kumar
Sushobhan and Ms.Shreya,
Advs with petitioner in
person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Mukesh Kumar, APP for
the State with Inspector
Satnam Singh, PS Vasant
Kunj, New Delhi in person.
Mr.Subhash Chechi, Adv for
R2/complainant with R2 in
person.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

Crl. M.A. No.18702/2015 (Exemption)

Exemption allowed, subject to all just exceptions.

Accordingly, the application is allowed.

CRL.M.C. No.5190/2015

1. Vide the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR No.646/2006 registered at Police Station Vasant Kunj for the offences punishable under Sections 420/419/406/34 of the IPC and the consequential proceedings

emanating therefrom against her.

2. Learned senior counsel appearing on behalf of the petitioner submits that the aforesaid case was registered on the complaint of respondent No.2, Om Parkash and matter is pending for framing of charges with the learned Trial Court. The allegations against the petitioner is that she introduced the main accused Dr. Harender Singh (since expired) and his wife Ms.Divya, who received the amount through cheques from the complainant. At that point of time, the complainant thought that petitioner is also connived with other co-accused and involved in the crime. Consequently, the aforementioned FIR was got registered. Thereafter, the respondent No.2 has realised that petitioner had introduced only and played no role in the offence. Accordingly, both parties entered into compromise deed dated 14.10.2015. Thus, he does not wish to proceed against petitioner anymore 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 and for identification purpose showed the EPIC issued by the Election Commission of India bearing No.RJ/08/063 /46257. Original seen & returned to him. Learned counsel for respondent No.2 under instructions, does not dispute as to what is stated by learned senior counsel for petitioner and also stated that matter has been settled with petitioner. The affidavit of respondent No.2 is at Page No.11 of the petition. Further submit that the matter has been settled with the petitioner, thus, he does not wish to pursue this case further and have no objection if the present petition is allowed.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that though chargesheet has been filed by the police against three persons, and main accused Dr. Harender Singh has since expired. The case is at the stage of framing charges and respondent No.2 has settled the matter with petitioner, the State has no objection, if the present petition is allowed and FIR is quashed qua petitioner only.

5. Undisputedly, offence punishable under Sections 406/419/420 of the IPC is compoundable with the permission of Court in view of fact that amount involved in the matter is exceeding the limit prescribed in the Code and matter is pending for framing of charges before learned Trial Court. 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 14.10.2015 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.646/2006 registered at Police Station Vasant Kunj for the offences punishable under Sections 420/419/406/34 of the IPC and all proceedings emanating therefrom, are hereby quashed qua the

petitioner only.

9. Accordingly, the present petition is allowed.

10. Order *dasti*.

**SURESH KAIT
(JUDGE)**

DECEMBER 21, 2015

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