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

Judgment delivered on: 26th February, 2016

+ **CRL.M.C. No.817/2016**

MOHIT SINGH & ORS. Petitioners
Represented by: Mr. R.K. Gupta, Advocate with
Petitioners in person.

Versus

STATE & ANR. Respondents
Represented by: Mr. Arun Kumar Sharma,
Additional Public Prosecutor for
the State with SI Ajay Kumar.
Respondent No.2 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. 706/2014 registered at Police Station Shakarpur, Delhi, for the offences punishable under Sections 406/420/120-B 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, namely Virender Chahar, due to some misunderstanding. The matter is at the initial stage of investigation as chargesheet is yet to be filed. Meanwhile, the respondent No.2 and the petitioners have amicably settled their disputes vide settlement deed dated 23.10.2015.

Thus, respondent No.2 has no objection if the present petition is allowed.

3. Respondent No.2 is personally present in the Court and has been duly identified by the Investigating Officer of the case. He does not dispute the submissions made by learned counsel for the petitioners and submits that the matter has been amicably settled with the petitioners. The respondent No.2 affirms the contents of the aforesaid settlement and of his affidavit dated 06.01.2016 filed in support of the present petition and submits that he does not wish to pursue this case further against the petitioners.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that the matter is at the initial stage of investigation as chargesheet has not yet been filed against the petitioners. Since the respondent No.2 has settled the dispute with the petitioners and does not wish to pursue this case further, therefore, the State has no objection if the present petition is allowed.

5. Undisputedly, offence punishable under Sections 406/420/120-B 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 the learned Trial Court for compounding the matter.

6. Both the parties who are present in the Court today, approbate the aforesaid settlement dated 23.10.2015 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 Additional Public Prosecutor 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. 706/2014 registered at Police Station Shakarpur, Delhi, for the offences punishable under Sections 406/420/120-B IPC and all proceedings emanating therefrom are hereby quashed qua the petitioners.

9. Accordingly, the present petition is allowed with no order as to costs.

**SURESH KAIT
(JUDGE)**

FEBRUARY 26, 2016

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