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

+ CRL.M.C. 4175/2013

COL.(RETD.) AJAY AHLAWAT & ANR. Petitioners
Represented by: Mr. Manprit Singh Ahluwalia,
Adv.

versus

GNCT OF DELHI & ORS. Respondents
Represented by: Mr. Siddharth Luthra, Sr. Adv.
with Mr. Amit Sharma and Mr. Dalveer Thakran,
Advs. for R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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23.03.2016

1. By way of the present petition, filed under Section 482 Cr.P.C., petitioners seek directions thereby quashing of FIR No. 55/2011 registered at PS-Economic Offences Wing, Crime Branch, New Delhi for the offences punishable under Sections 406/420/120B IPC against them.

2. Ld. Counsel appearing on behalf of the petitioners submits that the present petition has been filed on the ground of the settlement dated 11.07.2011 and on merit, however he does not press the grounds on merit and submits that vide order dated 11.07.2011 passed by Id. ACMM, Saket Courts, New Delhi, the matter has been settled and pursuant to the aforesaid settlement, the petitioners have paid the total amount.

3. Ld. Sr. Counsel appearing on behalf of the respondent no. 2 / complainant does not dispute that pursuant to order dated 11.07.2011, the complainant has received an amount of Rs.1.90 Crores, however submits

that the said settlement was till the stage of grant of bail and the quashing of the FIR was to be re-considered post-investigation.

4. On perusal of order dated 11.07.2011, it is revealed that counsel for the respondent no.2 stated that the matter stands compromised for a sum of Rs.1.90 Crores and the petitioners have paid the aforesaid amount. Moreover the statement of petitioner no.1 was also recorded by the aforesaid Court.

5. It was made clear in the aforesaid order that after receiving the amount of Rs.1.90 Crores from the petitioners, the complainant / respondent no. 2 shall cooperate to get the FIR quashed against the petitioners.

6. Keeping in view the settlement arrived at between the parties on 11.07.2011 and the money paid by the petitioners pursuant to the aforesaid order, I hereby quashed FIR No. 55/2011 registered at PS-Economic Offences Wing, Crime Branch, New Delhi for the offences punishable under Sections 406/420/120B IPC qua the petitioners.

7. I hereby make it clear that quashing of the FIR pursuant to aforesaid settlement will not affect the case of the prosecution / complainant qua the other accused.

8. In view of above, the petition is allowed.

Crl. M.A. 14947/2013

Dismissed as infructuous.

Dasti.

SURESH KAIT, J

MARCH 23, 2016/jg