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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1978/2016
RAMINDER SINGH CHADHA & ANR

..... Petitioner

Through Mr Chetan Lokur, Adv. alongwith petitioners in person

versus

GOVT OF NCT OF DELHI & ANR

..... Respondent

Through Ms Neelam Sharma, Additional Public Prosecutor for the State alongwith Sub Inspector Amit Kumar Police Station Punjabi Bagh, Delhi
Mr Fanish K Jain, Adv. for R2 alongwith R2 in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 23.05.2016

This is a petition under S. 482 Cr.PC moved by the petitioners for quashing of FIR No.299/2015 registered at Police Station Punjabi Bagh, Delhi under Ss. 420/120B IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that the respondent no.2 entered into an agreement to sell with the petitioner no.2 in relation to property bearing number 33A, North Avenue, Punjabi Bagh, New Delhi for a total sale consideration of Rs.18.61 crores. A total sum of Rs.7 crores had been paid to the petitioners by the respondent no.2. Pursuant to lodging of the FIR, the petitioner no.2 herein filed an application seeking anticipatory bail before this Court and this Court was pleased to grant interim protection to the petitioner no.2, which has been continuing from time to time. During the hearing of bail application, this Court referred the matter to Delhi High Court Mediation Centre for settlement and ultimately a settlement was arrived at between the petitioners and the respondent no.2, which was modified on two occasions. It is, therefore, submitted that since the matter has been amicably settled between the parties, the FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as by his counsel) and his statement has been recorded separately in which he states that during the proceedings, the matter was referred to mediation and the matter was settled before the mediation centre on 09.07.2015, which was subsequently modified by this Court on two occasions i.e. on 21.09.2015 and 30.11.2015, pursuant where to he has received the entire settled amount and a Receipt-Cum-No Objection Certificate has also been

issued by him which is Ex.P-1. He has also filed his affidavit in this regard, which is Ex.P-2. The commercial property bearing No.15-A, North West Avenue, Club Road, Basement No.8, Punjabi Bagh (W), New Delhi-110026 purchased by petitioner No.1 from the funds received from him in the name of his wife has already been transferred to his nominee under the orders of this Court and against that an amount of Rs.1.23 Crore has been adjusted in the settled amount. In view of the full and final settlement of all his claims, he has no objection if the FIR is quashed.

Ms Neelam Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, she has no objection to quashing of FIR but since the State machinery has been set in motion on account of acts of the petitioners, they be burdened with costs.

Keeping in view the facts that the parties have compromised the matter with each other amicably, 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 and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.299/2015 registered at Police Station Punjabi Bagh, Delhi under Ss. 420/120B IPC and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.50,000/- as costs which be deposited by the petitioners with Prime Minister Relief Fund within two weeks from today. Copy of receipt of deposit of costs be placed on record.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MAY 23, 2016/*rd*