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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2028/2016**
RITU BHARARA & ANR. Petitioners
Through: Ms. Priya Khurana, Adv.
versus

STATE & ANR. Respondents
Through: Ms. Nandita Rao, ASC along with SI
Ashok Kumar, P.S. Kirti Nagar.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK
ORDER
% **25.07.2016**

Crl. M.A. 10575/2015

Delay in re-filing is condoned.

Application is disposed of.

Crl. M.A. 10574/2016

Allowed, subject to all just exceptions.

Application is disposed of.

W.P. (Crl.) 2028/2016

Present FIR was registered against the petitioners on the complaint of respondent no.2 under Sections 406/420/120-B IPC at police station Kirti Nagar. It is alleged in the FIR that petitioner no.1 had agreed to sell the property no. 8/23, Ramesh Nagar, New Delhi to respondent no. 2 for ₹42

lacs vide Agreement to Sell dated 27th November, 2014. Respondent no. 2 paid entire sale consideration to petitioner no.1 in the presence of petitioner no.2. However, petitioners sold the said property again to one Mr. Gaurav Chadha and Ms. Devangana Chadha, vide two separate sale deeds dated 24th April, 2015, for a total sale consideration of ₹80 lacs.

It is submitted that respondent no.2 and petitioner no. 1 have now settled their disputes amicably vide Settlement Agreement dated 5th October, 2015. In terms of the settlement, petitioner no.1 has already executed a sale deed in favour of the respondent no.2 in respect of another property no. 21/1, Ground Floor, Ramesh Nagar, New Delhi in lieu of the earlier property commenced under Agreement to Sell dated 27th November, 2014. Respondent no. 2 has given up his claim over the earlier property. Respondent no.2, who is present in Court and has been identified by the Investigating Officer, admits having settled the matter with the petitioners and says that FIR be quashed.

Keeping in mind that parties have settled their disputes amicably, which have civil flavour, in the interest of justice, FIR 499/2015 under Sections 406/420/120-B IPC registered at police station Kirti Nagar and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

JULY 25, 2016

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