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

+ **W.P.(CRL) 2017/2016**

AKSHAY KUMAR ASTHANA & ORS.

..... Petitioner

Through: Mr. Gaganpreet Singh, Advocate.

versus

STATE & ORS.

..... Respondent

Through: Ms. Richa Kapoor, ASC
SI Mahendra Koli, PS Sabzi Mandi.
Mr. Karan Bir Singh, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

15.07.2016

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Crl. M.A. No.10501/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(CRL) 2017/2016

Issue notice. Notice is accepted on behalf of the State. Notice is accepted by respondent no.2, who is present in court. Respondent no.2 states that the other LRs of the original complainant are not available today, however, the other respondents/LRs of the complainant have filed their respective affidavits on their behalf.

The present petition has been filed under Article 226 of the Constitution of India to seek quashing of FIR No.253/201e u/s 420/467/468/471/ 120B IPC registered at PS Subzi Mandi against the petitioners on the complaint of late Sh. A.K. Asthana. The petitioner states that the parties are related to each other and disputes arose in relation to a property. The parties have arrived at a settlement in mediation on 20.05.2014. Under the settlement, the parties agreed to dispose of the property in dispute and to share the proceeds in the ratio as set out in the settlement. The parties state that they have since sold the property and shared the sale proceeds as per the said settlement.

The respondents who are the LRs of A.K. Asthana have filed their respective affidavits on record. Respondent no.2 states that in view of the said settlement, the respondents are not interested in pursuing the FIR any further and the respondents also the joins the prayer for quashing the FIR in question. Consequently, no useful purpose would be served in further investigation in the matter. Accordingly, the FIR stands quashed subject to payment of costs of Rs.20,000/- to be paid to the Prime Minister Relief Fund. Receipt of costs be deposited with the IO within two weeks.

VIPIN SANGHI, J

JULY 15, 2016

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