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

+ CRL.M.C. 2601/2016 & CrI.M.A.No.11133/2016 (stay)

PANKAJ SETIA & ANR.

..... Petitioners

Represented by : Mr.Aman Vachher and
Mr.Abhishek Chauhan, Advs.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Represented by : Mr.Ashok Kumar Garg, APP.
Insp. Ashok Giri, PS GK-I.
Mr.Satish Kumar, Adv. for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **18.10.2016**

1. By the present petition, the Petitioners Pankaj Setia and Monica Setia seek quashing of FIR No. 52/2013 under Sections 120B/406/420 IPC registered at PS Greater Kailash, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.
2. Learned APP for the State on instructions submits that in the above-noted FIR though the two petitioners were arrayed as accused, however, petitioner No. 2 was kept in Column No. 12 and has not been summoned by the learned Trial Court. Thus, petitioner No. 1 is the only accused and respondent No. 2 is the only complainant/victim.
3. Respondent No. 2 is present in Court and identified by the Investigating Officer. She states that she has settled the matter with the Petitioners in terms of the settlement agreement dated 6th September, 2013,

copy whereof is placed at pages 30 to 34 of the present paper book. She states that she has complied with the terms of the settlement and made the payment towards the property bearing No. DLJ026 (admeasuring 919 Sq. Ft.) DLF Tower-B, Jasola District Centre, New Delhi which has been transferred in her name and she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. Petitioner No.1 who is present in Court affirms the statement made by respondent No. 2 and states that in compliance of the terms of settlement agreement dated 6th September, 2013 he has sold out the above-noted property. He further states that he will abide by the terms of the settlement agreement.

4. In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

5. Consequently, FIR No. 52/2013 under Sections 120B/406/420 IPC registered at PS Greater Kailash, Delhi and proceedings pursuant thereto are hereby quashed.

6. Parties have signed this order sheet in acknowledgment of their statements made before this Court.

7. The petition is disposed of. Order dasti.

MUKTA GUPTA, J

OCTOBER 18, 2016/*mr*