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

+ **CRL.M.C. 2720/2016**

MANMOHAN PAWAR & ANR.

..... Petitioner

Represented by: Mr. Atul Agarwal, Adv. with
petitioners.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Ajay Kumar, PS Khyala.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.11.2016

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Learned proxy counsel for the petitioner prays for an adjournment as arguing counsel is unwell.

The petitioners who are present in person, state that on the last date of hearing, they paid fee to Mr. Jalaj Aggarwal, Advocate and today they have made payment to Mr. Atul Agarwal, Advocate, who appears as proxy counsel.

Despite the petitioners having paid fees and settled the matter, deliberate adjournment are being sought. Even on the last date of hearing, instead of Mr. Jalaj Aggarwal, Advocate, Mr. Atul Agarwal, Advocate appeared when notice was issued by this Court. The matter is sought to be adjourned because no vakalatnama of Mr. Atul Agarwal, Advocate is on record and a vakalatnama only in favour of Mr. Jalaj Aggarwal has been filed duly signed by him though it mentions Jalaj Aggarwal and Associates.

One also fails to understand as to how Mr. Atul Agarwal has taken the fees. It is apparent that despite taking fees poor petitioners are being harassed by delaying the matter. Copy of the order be sent to the Bar Council of Delhi for intimation and action if required.

The only role of the petitioner's counsel in this matter was to file the petition and identify the petitioners. The parties have settled the matter.

The petitioners and respondent No.2 are present in Court and identified by the investigating officer.

Respondent No.2 states that she has settled the matter with the petitioners and does not wish to pursue FIR No.203/2015 under Sections 323/341/354/506/509/34 IPC registered at PS Khyala and the proceedings pursuant thereto. The petitioners affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement arrived at between the parties before the Delhi Mediation Centre, Tis Hazari Courts.

Since the parties have settled the matter, no useful purpose will be served in continuing with the trial and there is no legal impediment in quashing the above noted FIR, consequently, FIR No.203/2015 under Sections 323/341/354/506/509/34 IPC registered at PS Khyala, Delhi and proceedings pursuant thereto are hereby quashed.

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

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 08, 2016
‘v mittal’