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

+ W.P.(CRL) 2781/2016

HANUMAT BHARDWAJ @ HANUMAT SARAN Petitioner
Through : Mr. Dinkar Verma and Ms. Priya
Ram, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondents
Through :Mr. Ashish Aggarwal, ASC with Mr.
Piyush Singhal & SI Rakesh Kumar,
P.S. Saket, New Delhi for respondent
no. 1
Mr. Pramod Kumar, Adv. with
respondent nos. 2 & 3 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **04.10.2016**

By this writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C., petitioner has prayed for quashing of the FIR No. 450/2016 under Sections 420/468/471 IPC registered at Police Station Saket on the complaint of respondent no. 2. Respondent no. 3 is the mother of respondent no. 2. Respondent no. 2 has alleged in the FIR that petitioner is a distant relative of his mother. Petitioner is a property dealer. Petitioner induced the respondent no.3 to buy a plot no. 94, Bhatia Colony, Dholagarh,

Tehsil and District Palwal, Haryana. Petitioner executed an Agreement to Sell dated 15th October, 2015 and received ₹5,00,000/- in cash vide receipt dated 15th October, 2015. Thereafter, respondent no. 3 paid another sum of ₹6,00,000/- to the petitioner vide receipt dated 6th November, 2015. Later on, respondent no. 3 paid another sum of ₹4,00,000/- to the petitioner through a cheque bearing no. 292223 drawn on Canara Bank, Sheikh Sarai, New Delhi. Thus, petitioner received total amount of ₹15,00,000/- from the respondent no. 3. Petitioner represented that plot was free from encumbrances. However, subsequently, it was revealed that there was no plot bearing no. 94 in Dholagarh, Tehsil and District Palwal, Haryana. The land was found to be an agricultural land.

During the hearing of bail application petitioner and respondent nos.2 and 3 have settled their disputes, before the Additional Sessions Judge (South), Saket Courts, New Delhi on 5th September, 2016. In terms of the settlement, a demand draft bearing no. 0430450 dated 1st September, 2016 for ₹4,00,000/- favouring respondent no. 3 has already been deposited in said court. ₹11,00,000/- has been paid today vide a demand draft photocopy whereof has been placed on record. Respondent nos. 2 and 3 are present in Court and have been identified by SI Rakesh Kumar, P.S. Saket. They

submit that they do not wish to pursue the FIR any further in view of the settlement.

Keeping in mind that parties have settled their disputes, inasmuch as offence, as alleged, has civil flavour and respondent nos. 2 and 3 do not wish to pursue the FIR any further, FIR No. 450/2016 under Sections 420/468/471 IPC registered at Police Station Saket, which is at the investigation stage, is quashed. Demand draft, deposited in the trial court, be released to the respondent no. 3 forthwith.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

OCTOBER 04, 2016

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