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

+ **W.P.(CRL) 2699/2016 & CrI.M.A.14383/2016**

**SANDEEP CHAWLA & ANR**

..... Petitioners

Through : Mr. Vidit Gupta, Adv.

versus

**STATE & ANR**

..... Respondents

Through : Mr. Ashish Aggarwal, ASC with SI  
Prakash PS Sadar Bazar.

Ms. Sunita Arora, Adv. with Mr.  
Krishan Kumar, Adv. for R-2 with  
R-2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

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**16.09.2016**

The present FIR No.270/2016 under Sections 406/420/130-B IPC was registered at police station Sadar Bazar on the complaint of respondent no.2 against the petitioners. Respondent no.2 has alleged in the FIR that the petitioners had approached him and offered to sell the shop bearing municipal no.2734 (old no.2488), East Mundewalan, Sadar Bazar, Thana Road, Delhi for ₹40,00,000/-. Agreement to sell was executed in respect of the said shop in favour of respondent no.2 on 8<sup>th</sup> June, 2015. Respondent no.2 paid ₹11,00,000/- to the petitioner no.2 as an advance. Later on, respondent no.2 came to know that petitioner no.2 had sold the said shop to

his brother in law namely Sandeep Chawla (petitioner no.1) on 6<sup>th</sup> July, 2015 vide registered sale deed. Respondent no.2 asked them to execute the sale deed but the petitioners flatly refused and they even did not return the advance money. Petitioner no.1 and respondent no.2 have settled their disputes vide memorandum of understanding dated 6<sup>th</sup> September, 2016. Respondent no.2 is present in Court and has been identified by SI Prakash PS Sadar Bazar. He submits that he has settled the matter with the petitioners and has received the entire settled amount of ₹10,75,000/-. He further submits that he is not willing to pursue the present FIR any further.

Keeping in mind the above facts and also the fact that FIR is outcome of a property deal, in the interest of justice, the present FIR No.270/2016 under Sections 406/420/130-B IPC registered at police station Sadar Bazar is quashed.

Writ petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

**A.K. PATHAK, J.**

**SEPTEMBER 16, 2016/dk**