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

+ CRL.M.C. 3676/2016 and Crl. M.A. No.15414/2016 (Stay)

SURENDER GOSAIN @ GOSWAMI & ORS Petitioners

Represented by: Ms.Purnima Maheshwari and
Mr. Alok Gupta, Advocates.

versus

STATE & ORS

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Rajender
Singh, DIU/NW.
Mr. C.S. Rathour, Mr. Anuj
Jain and Mr. Himanshu
Wadhwa, Advocates for
respondent Nos. 2 and 5 with
respondent Nos. 2 and 5 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.11.2016

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1. By the present petition, the petitioners seek quashing of FIR No. 1867/2015 under Sections 420/406/506/34 IPC registered at PS Mukherjee Nagar, Delhi and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. A status report has been filed by the State stating that the petitioners had cheated a number of people on the pretext of running committees. However, in the above noted FIR besides the respondent No.2 who is the complainant, 16 other victims were examined and thus respondent Nos. 3 to

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18 are also the victims besides respondent No.2. Respondent Nos. 3 and 4 are not present in Court.

3. Respondent Nos. 2 and 5 who are present in Court state that though in the order dated 23rd May, 2016 when the application for bail of the petitioner Surender Gosain was being heard by the Court, they stated that they have received the entire payment of their respective dues and the petitioners assured that they would return the money by selling the house and the complainant/victim facilitated the sale of their house however, no money was given instead the petitioners have re-entered the house for which a separate FIR has been registered.

4. It is thus apparent that at this stage there is no complete settlement between the parties. Consequently, this Court finds no ground to quash the present FIR on the ground that the parties have settled the matter cannot be quashed at this stage.

5. Petition and application are dismissed.

MUKTA GUPTA, J.

NOVEMBER 30, 2016
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