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

+ **W.P.(CRL) 3174/2016 & CrI. M.A. No. 17099/2016**

RANJEET SINGH

..... Petitioner

Through: Mr. Maninder Singh, Ajay Kumar
Pipaniya, Rohit Arora, Smriti Asmita,
Adv.

versus

STATE & ANR.

..... Respondents

Through: Ms. Richa Kapoor, ASC with Seema
Patnaha and Mallik Parmar, Adv.
with SI Kali Charan, PS Ashok
Kumar
Mr. Paras Punyani, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
18.11.2016

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The amended memo of parties impleading Mr. Ashok Bhardwaj is placed on record. Let the same be taken on record.

The petitioner is present in court. Respondent no.2, the injured is also present with his counsel. He states that he has filed his vakalatnama on record. The IO also identifies the respondent no.2.

The petitioner has moved the present application to seek the quashing of FIR No.190/2013 u/s 287/338 IPC and the proceedings arising therefrom.

The same is based on a compromise arrived at between the petitioner and respondent no.2, which too has been placed on record. Under the settlement, respondent no.2 has agreed not to pursue his complaint since he has been paid an amount of Rs.3.50 lacs towards compensation.

Learned counsel for the petitioner has produced a cheque for Rs.2 lacs bearing no. 861225 dated 17.11.2016 drawn on Canara Bank in favour of respondent no.2 in terms of the last order. The said cheque has been tendered to respondent no.2 in court today. He has accepted the same.

Respondent no.2 states that since he has arrived at a settlement with the petitioner, he does not wish to pursue the complaint any further and joins the prayer that the FIR and the proceedings arising therefrom be quashed.

The amount paid by the petitioner under the settlement i.e. Rs.3.50 lacs in cash and Rs.2 lacs paid today by cheque is over and above the entitlement of respondent no.2 to receive amounts from the Insurance, ESIC etc. The said amounts shall not be in any manner be curtailed on account of the settlement arrived at by the respondent.

The complainant states that the amount of Rs.3.50 lacs was paid on 17.10.2016 by way of cash in denomination of 1,000 and 500 rupee notes. He submits that he is still possessing the said notes. He may proceed to deposit the said amount in his bank account in cash and this court sees no impediment to do so. Since the said amount has been received by respondent no.2 by way of compensation, it is not foreseen that he would face any issues even with the tax authorities. In case the complainant has any difficulty in depositing the said amount, he shall approach the IO and the IO is directed to ensure that the said amount is deposited in the bank account of the complainant without any difficulty. If necessary, the bank manager

where the complainant has his account shall be spoken to by the IO for the said purpose.

In view of the above, no useful purpose would be served in proceeding further with the FIR in question and the proceedings emanating therefrom. The same are hereby quashed subject to encashment of the cheque of Rs.2 lacs tendered in court today.

Petition stands disposed of. Dasti.

VIPIN SANGHI, J

NOVEMBER 18, 2016

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