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

+ W.P.(CRL) 1879/2015

VINOD THAKUR

..... Petitioner

Through: Mr.Vishnu Sharma, Advocate

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Rajesh Mahajan, A.S.C. for the
State with SI Yogesh Raj PS Prashant
Vihar

Mohd. Irsad, Adv. for complainant

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **23.02.2016**

1. The present writ petition has been filed by the Petitioner under Articles 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for quashing of FIR No. 397/2012, under Sections 420 IPC, registered at P.S. Prashant Vihar, Delhi and consequential proceedings arising therefrom.

2. Brief facts, as mentioned in the petition are that the above FIR was registered on the complaint of Respondent No.2 who got his daughter admitted in the IIMS Institute and paid fees in respect of her academic year/session as he was not satisfied with the entire infrastructure and other things of the institute. The complainant approached the college management for refund of fee and when the college management refused to refund the fee, the complainant approached the police for registration of FIR.

3. It has been stated that both the parties have arrived at an

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amicable settlement and the complainant does not wish to pursue complaint against the Petitioner any further and wants that the said FIR and all proceedings emanating therefrom may be quashed.

4. Learned counsel for the Petitioner submits that since the matter in dispute has been amicably settled between the parties, no purpose would be served in prosecuting the Petitioner any more, therefore, the FIR may be quashed.

5. Learned counsel for the Respondent No.2/complainant submits that the complainant has amicably settled the dispute with the Petitioner and is not interested in prosecuting the Petitioner and submits that the said FIR and all proceedings emanating therefrom may be quashed.

6. On behalf of the State, it is submitted that in view of amicable settlement between the parties, appropriate orders may be passed.

7. In view of the aforesaid amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the Petitioner, which will only be an exercise in futile and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No. 397/2012, under Sections 420 IPC, registered at P.S. Prashant Vihar, Delhi and consequential proceedings arising therefrom are hereby.

Order *dasti*.

PRATIBHA RANI, J.

FEBRUARY 23, 2016

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