

\$~21

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

+ CRL.M.C. 3658/2015

ASHOK JANGRA & ORS

..... Petitioners

Represented by: Mr.Rakesh Beniwal, Advocate

versus

STATE & ANR

..... Respondents

Represented by: Mr.Amit Ahlawat, APP for the
State with SI Sanjeev,
P.S.Okhla Industrial Area.
None for R-2

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

% **07.09.2016**

1. As per courier report respondent No.2 is served. None appears for respondent No.2.
2. The reason is obvious. On a complaint made by Mr.Gaurav Upadhyay, Manager (Admin.) of M/s Tulip Telecom Ltd., FIR 188/2013, P.S.Okhla Industrial Area for offences punishable under Sections 408/420/467/468/471/120B IPC was registered against unknown accused persons.
3. During investigation name of the petitioners surfaced as the likely culprits. Along with the material collected charge-sheet was filed. It was assigned to the Court of Sh.Dhiraj Mor, Metropolitan Magistrate, Saket Courts, New Delhi.
4. Keeping in view the nature of the controversy before the charge-sheet was filed and bail was prayed for, parties were referred to mediation. On October 23, 2013 a settlement was arrived at. On behalf of M/s Tulip
CRL.M.C. 3658/2015

Telecom Ltd, the complainant : Gaurav Upadhyay is the signatory.

5. The settlement was that the accused would pay ₹18,00,000/- (Rupees Eighteen Lacs only) in full and final settlement of the claim of the company. The settlement records that ₹5.96 lacs has been received. Balance sum of ₹12.04 lacs was agreed to be received on the dates mentioned in para 2 of the settlement. It has to be cleared in three instalments in sum of ₹4 lacs, ₹4 lacs and ₹4.04 lacs. Transfer had to be by RTGS in Account No.31819270081, State Bank of India, Nehru Place Branch.

6. Along with the petition statement of account maintained by Central Bank of India in the name of Ashok Jangra : Petitioner No.1, which reflects that the payments have been transmitted through RTGS is annexed.

7. Learned counsel for the State submits that for the offence punishable under Section 468/471 IPC sentence of imprisonment for life can be inflicted and thus opposes the quashing of the FIR.

8. The ethos of mediation and settlements is to release pressure on the judicial system as also to bring harmony between the litigating parties. On a money claim, a settlement has been arrived at between the complainant and the accused. In my opinion it is a fit case to quash the FIR.

9. The petition is disposed of quashing FIR No.188/2013, P.S.Okhla Industrial Area, for the offences punishable under Section 408/420/467/468/471/120B IPC. Proceedings emanated therefrom are also quashed.

PRADEEP NANDRAJOG, J.