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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 4596/2015

VISHAL & ANR.

..... Petitioner

Through Petitioners in person

versus

STATE & ANR

..... Respondent

Through Mr. Hirein Sharma, APP along with SI
Uma Dutt, PS Mangol Puri.
Complainant in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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02.05.2016

This is a petition u/s 482 Cr.P.C. for quashing of FIR 647/2013 u/s 354/509/506/34 IPC registered with Police Station Mangol Puri and consequent proceedings emanating therefrom on the ground of settlement.

Counsel for the petitioners submits that the present complaint is regarding the property dispute between the parties. The complainant had entered into a property deal with the petitioner No. 1 through Sh. Narender Nagar, petitioner No.2. The complainant had paid Rs.2 lacs as earnest money to petitioner No. 1 against the purchase of property bearing No. E-100, Mangol Puri, Delhi. Subsequently the deal could not be materialized and the complainant requested Mr. Vishal-petitioner No. 1 to return back her earnest money but he did not return the same. Later on complainant got the present FIR registered against the petitioner. During the pendency of the proceedings, the matter has been referred to Delhi Govt. Mediation & Conciliation Centre, Delhi Disputes Resolution Society (Regd.) and the matter has been settled there whereby the petitioner is ready to return a sum

of Rs.2 lacs to respondent No 2 pursuant thereto a demand draft of Rs.2 lacs has been handed over to the complainant today in the in the Court.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer and her counsel) submits that a settlement was arrived at between her and the petitioner a year ago but the payment has been made today only, however, subject to further compensation being granted, she has no objection to the quashing of the FIR. She further states that this settlement has been arrived at between her and the petitioners without there being any threat, coercion or pressure of any sort.

Mr Hirein Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR.

Keeping in view the facts that the parties have compromised the matter with each other amicably, no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and FIR 647/2013 u/s 354/509/506/34 IPC registered with Police Station Mangol Puri and consequent proceedings emanating therefrom are hereby quashed subject to Rs.20,000/- which be paid as compensation to the complainant within four weeks by way of demand draft, a copy of which be placed on record.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MAY 02, 2016

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