

S-11 & 12

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

+ CRL.M.C. 366/2017

CHARANJEET SINGH CHAWLA & ANR Petitioner
Represented by: Mr. Vibhav Mishra with Mr.
Pranay Jain, Advs. with P-1
and P-2.

versus

STATE (NCT OF DELHI) & ORS Respondent
Represented by: Mr. Amit Ahlawat, APP with
Insp. Anil Kumar, PS EOW
R-3 & 4 in person.

+ CRL.M.C. 367/2017

MANJU JAIN Petitioner
Represented by: Mr. Jinendra Jain, Adv. with
petitioner.

versus

STATE (NCT OF DELHI) & ORS Respondent
Represented by: Mr. Amit Ahlawat, APP with
Insp. Anil Kumar, PS EOW
R-3 & 4 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.02.2017

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1. By these two petitions, the petitioners seek quashing of FIR No.171/2012 under Sections 406/420/34 IPC registered at PS Saraswati Vihar on the complaint of respondent No.3 and proceedings pursuant thereto as the parties have settled the matter.

2. Learned APP for the State on instructions states that in the above

noted FIR, the three petitioners in the two petitions are only accused and besides respondent No.3, who is the complainant/victim, respondent No.4 is the another victim. Thus, no other person is involved in the above noted FIR.

3. Respondent Nos. 3 and 4 who are present in Court and identified by the investigating officer state that they have settled the matter with the petitioners as agreed to between the parties before this Court in Ex.P. No.108/2016 on 20th December, 2016 a copy of which is annexed at pages 44 to 49 of the paper book and both the parties have acted upon the settlement pursuant whereof a sale deed has been executed in respect of property No.1695, Arya Samaj Road, Karol Bagh, New Delhi. They further state that since both the parties have complied with their part of obligations, they do not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by their respective counsel affirm the statement of respondent Nos. 3 and 4 and state that they have complied with obligations imposed on them vide the settlement arrived at between the parties in Ex.P.108/2016 on 20th December, 2016.

4. In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

5. Consequently, FIR No.171/2012 under Sections 406/420/34 IPC

registered at PS Saraswati Vihar, Delhi and proceedings pursuant thereto are hereby quashed. The keys of the premises which is in possession of the investigating officer pursuant to order dated 30th January, 2017 have been handed over respondent Nos. 3 and 4.

6. Parties have signed this order sheet in acknowledgment of their statements made before this Court.

7. The petitions are disposed of.

8. Order dasti.

Mukta Gupta
MUKTA GUPTA, J.

FEBRUARY 03, 2017
'v mittal'

P-1 Manjiv Jain
identified
founder for 31/2/2017
01665/1998 (R)
(JINENDRA SAINI)
Adv

R-3 *[Signature]*

R-4 *[Signature]*

I identify R-3 & R-4.

[Signature]
Adv Anil Kumar
Row 3-2/854