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

+ W.P.(CRL) 529/2017

SURESH YADAV ORS

..... Petitioners

Through: Mr. Abhishesk Choudhary, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. R.S. Kundu, ASC for the State
with Mr. Jahangir Ahmad, Adv. along
with SI Amit Kumar, P.S. Mehrauli.
Mr. Dinesh Khanna, A.R. of
respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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17.02.2017

It is submitted that petitioners and respondent no.2 have settled their disputes amiably vide Settlement Agreement dated 26th February, 2016 (Annexure P-2), therefore, FIR No. 417/2011 under Sections 120-B/406/420/467/468/471 IPC registered at police station Mehrauli on the complaint of respondent no.2, may be quashed.

Learned ASC for the State submits that apart from the petitioners, another co-accused, namely, Dharmender Parikh has been named in the FIR. He further submits accused Dharmender Parikh has died on 25th April, 2014. SI Amit Kumar of police station Mehrauli submits that factum of death of Dharmender Parikh has been verified.

Mr. Dinesh Khanna, Authorised Representative of respondent no.2 is present in Court and has been identified by SI Amit Kumar of police station Mehrauli. Board Resolution of respondent no.2 authorising Mr. Dinesh Khanna to settle the matter and make the statement in Court on behalf of respondent no.2 has been annexed as Annexure P-4. Mr. Dinesh Khanna states that settlement has been arrived at voluntarily and without any undue pressure, force or coercion. He further submits that settled amount has already been received by the respondent no.2 and respondent no.2 has no objection in case the FIR is quashed.

Keeping in mind the settlement arrived at between the petitioners and respondent no.2 voluntarily, in my view, no fruitful purpose would be served in keeping the present FIR alive. Accordingly, in the interest of justice, FIR No. 417/2011 under Sections 120-B/406/420/467/468/471 IPC registered at police station Mehrauli and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of.

A.K. PATHAK, J.

FEBRUARY 17, 2017

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