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

+ W.P.(CRL) 699/2017

SATYABIR SINGH & ORS

..... Petitioner

Through: Mr. Mohit Mathur, Sr. Adv. with Mr.
Shishir Mathur, Rakesh K Sharma,
Dalwinder Singh and Vinay Gupta,
Adv.

versus

STATE (NCT) OF DELHI & ANR

..... Respondent

Through: Mr. R.S. Kundu, ASC with Mr. Ankit
Kr Gulia and Harsh Chaudhary, Adv.
with SI Akhilesh Bajpai

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

06.03.2017

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Issue notice. Notice is accepted on behalf of the State. Respondent no.2 is present in court and accepts notice. He is identified by the I.O. This petition has been preferred to seek the quashing of FIR 673/2013 u/s 420/467/418 IPC and the proceedings arising therefrom including the charge sheet. The petitions is premised on a settlement arrived at between the parties. A copy of the settlement dated 13.02.2017 has been placed on record.

Respondent no.2 who is present in court states that the settlement has been arrived at voluntarily and out of his free will and without coercion. He joins the prayer for quashing of the FIR, the proceedings arising therefrom and the charge sheet.

Mr. Kundu points out that the case involves forgery and fabrication of

bills and receipts by the accused in respect of the alleged supply of goods to the complainant. On that basis, the accused had sought to encash the cheques attributed to the complainant and since the cheques were dishonoured, 26 complaints u/s 138 were preferred by the accused.

Mr. Mathur states that in view of the said settlement, all the complaints have been withdrawn. He submits that under the settlement, the accused have agreed to make a payment of Rs.16 lacs to the complainant, out of which Rs.5 lacs already stands paid. He has tendered in court to the complainant the balance amount of Rs.11 lacs and the same has been accepted by him.

Considering the fact that the charge sheet stands filed and it involves forgery and fabrication of several documents, initially I was not inclined to quash the FIR and the proceedings arising therefrom.

However, Mr. Mathur states that to atone for their conduct and show their bonafides, the petitioners are ready and willing to be subjected to such costs as this court may consider appropriate.

Since the parties have arrived at a settlement and the petitioners have also expressed their regret and have agreed to bear the costs with a view to atone for their conduct, the petition is allowed subject to deposit of Rs.5 lakhs as costs with the Prime Ministers' National Relief Fund. The costs be deposited within two weeks and the receipt be provided the IO, and whereafter the case shall be closed.

Dasti.

VIPIN SANGHI, J

MARCH 06, 2017

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