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

+ CRL.M.C. 1617/2016

P R KRISHNAMMA & ORS.

..... Petitioners

Through : Mr.Dileep Poolakkot, Advocate along
with petitioners in person.

Versus

BALDEV RAJ JAGGI & ANR.

..... Respondents

Through : Mr.Subash Chandran, Advocate for
R1 along with R1 in person.
Ms.Meenakshi Dahiya, APP for R2.
SI Sachin, PS Amar Colony.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **24.03.2017**

1. Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.171/2011 registered under Sections 420/468/471 IPC at PS Amar Colony. It is stated that the matter has been settled amicably with the complainant / respondent No.1 vide settlement agreement dated 04.05.2016.

2. Complainant / respondent No.1 is present with his counsel and has been identified by the Investigating Officer. I have enquired from the complainant if he has settled the dispute with the petitioners amicably without any fear or pressure. He has informed that all the disputes between the parties have been resolved amicably with his

CRL.M.C. 1617/2016

page 1 of 3

free consent and he has no objection to the quashing of the FIR in question.

3. On perusal of the Trial Court record, it reveals that the charge-sheet has been filed for commission of offence punishable under Sections 408/420/467/468/471/120/34 IPC. By an order dated 04.02.2013, the learned Metropolitan Magistrate took cognizance against the petitioners. The complainant had filed a complaint that his accountant Praveen Kumar Nair had misappropriated approximately ₹3 crores from the accounts of his company. Undisputedly, Praveen Kumar Nair committed suicide and by an order dated 04.02.2013 proceedings against him were dropped as abated. The petitioners are the legal heirs of the deceased Praveen Kumar Nair. It is alleged that the properties in their possession were purchased from the proceeds of the misappropriated amount. Order dated 04.02.2013 reveals that the cognizance was taken against the petitioners as prima facie sufficient material existed to infer that they had hatched conspiracy with Praveen Kumar Nair (since deceased) and were well aware of misappropriation, cheating and forgery committed by him.

4. The petition is supported by affidavits of the parties. Copy of settlement agreement dated 04.05.2016 has been placed on record. Since the dispute between the parties has been settled amicably and no effective proceedings have so far been conducted in the case, no useful purpose will be served to continue with the proceedings. In the interest of justice and to enable the parties to put an end to the litigation, FIR No.171/2011 registered under Sections 420/468/471

IPC at PS Amar Colony and all the proceedings arising therefrom are quashed qua the petitioners.

5. The petition stands disposed of accordingly.

S.P.GARG, J

MARCH 24, 2017 / tr