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

+ CRL.M.C. 1187/2017

HASIM KHAN & ORS.

..... Petitioners

Through: Mr.Vikas Azad, Adv.

versus

STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Naresh Kumar, Police
Station-Uttam Nagar
Mr.Kamran Ahmad Khan, Adv. for
respondents.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **22.03.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.425/2005, under Sections 406/420/468/471/120-B IPC, registered at Police Station-Uttam Nagar, Delhi and all proceedings emanating therefrom.

Counsel for the petitioner has submitted that the petitioners sold the property in question to respondent No. 2, Mohd.Zafar Ali and respondent No.3, Mohd.Mujib. He has further submitted that during the transaction some misunderstanding had taken place between the parties, resultantly, the complainant lodged FIR No.425/2005, under Sections 406/420/468/471/120-B IPC at Police Station-Uttam Nagar, Delhi. He has further submitted that respondent No.2, Mohd.Zafar Ali is in possession of 60 sq. yards and respondent No.3, Mohd.Mujib is in

possession of 40 sq. yards. He has further submitted that after registration of the FIR qua against the petitioners, the relatives and the friends intervened and the matter has been settled between the parties vide compromise deed dated 16.03.2017. Learned counsel for the petitioners further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and respondent No.2, Mohd.Zafar Ali and respondent No.3, Mohd.Mujib are in possession of the property in question and no amount is left to be received from them. He further submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners and the respondent Nos.2 & 3 want to lead peaceful life in near future and since all disputes have been settled between them, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2, Mohd.Zafar Ali and respondent No.3, Mohd.Mujib are present in Court today and has been identified by the Investigating Officer, SI Naresh Kumar, Police Station-Uttam Nagar. The respondent No.2, Mohd.Zafar Ali admits that he is in possession of plot measuring 60 sq. yards and respondent No.3, Mohd.Mujib admits that he is in possession of plot measuring 40 sq. yards. Respondent Nos. 2 & 3 also admit that the matter has been amicably settled with the petitioners vide compromise deed dated 16.03.2017. They have further submitted that they have no claim or grievance left against the petitioners. They further submit that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. They further submit that they have no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter has

been amicably settled between the parties and nothing remains to be adjudicated further, to meet the ends of justice, I deem it appropriate to quash the FIR No.425/2005, under Sections 406/420/468/471/120-B IPC, registered at Police Station-Uttam Nagar, Delhi, and all proceedings emanating therefrom.

The present petition is allowed and disposed of accordingly.

Parties to remain bound by the terms of settlement deed dated 16.03.2017.

Copy of the order be given *dasti*.

I.S.MEHTA, J

MARCH 22, 2017/radhika