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

+ CRL.M.C. 2031/2016 & CrI.M.A. 8594/2016 (stay)

MRITUNJAI KUMAR & ORS

..... Petitioner

Represented by: Mr. Himanshu Tyagi, Adv.

versus

BALWINDER SINGH

..... Respondent

Represented by: Mr. Vibhu Tiwari, Adv. with
respondent in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.01.2017

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By the present petition the petitioners seek quashing of complaint case No.1102/1/2014 titled as 'Mr. Balwinder Singh Vs. Unibera Developers Pvt. Ltd. & Ors.' pending in the Court of Shri Arvind Bansal, learned Metropolitan Magistrate (South-East District), Saket Courts.

In the said complaint Balwinder Singh had prayed for directions under Section 156(3) Cr.P.C. Though no directions were issued for registration of FIR under Section 156(3) Cr.P.C. and the complaint was directed to be proceeded as per complaint procedure, Mr. Balwinder Singh has already filed an affidavit before the learned Metropolitan Magistrate.

Balwinder Singh who is present in Court and is identified by the learned counsel states that he has settled the matter with the petitioner before the Lok Adalat held on 9th April, 2016 at District Forum No.VII, Sheikh Sarai, New Delhi. Balwinder Singh states that he has received two cheques

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for a sum of ₹1 lakh and ₹6,20,235/- drawn on ICICI Bank towards full and final settlement of his claim in the above-noted complaint. Thus he does not wish to proceed with the complaint case and the proceedings pursuant thereto.

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.

Consequently, complaint case No.1102/1/2014 titled as 'Mr. Balwinder Singh Vs. Unibera Developers Pvt. Ltd. & Ors.' pending in the Court of Shri Arvind Bansal, learned Metropolitan Magistrate (South-East District), Saket Courts and proceedings pursuant thereto are hereby quashed.

Petitioner No.1 & 2 and petitioner No.1 as Director of petitioner No.3, and Balwinder Singh, the respondent duly identified by the learned counsels have signed the order sheet in acknowledgment of their statements made before this Court.

The petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 17, 2017
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