

\$~5

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

+ CRL.M.C. 2223/2016

DINESH KUMAR GHALIAN & ORS. Petitioners

Through: Proxy counsel with all four petitioners are in person.

versus

STATE & ANR. Respondents

Through: Mr. Mukesh Kumar, APP for State with Inspector Ashwani Kumar, PS EOW.
Mr. R.P. Kaushik, Mr. V.K. Sharma & Mr. Himanshu Kaushik, Advocates for R-2 with respondents No.2 and 3 are in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **08.08.2017**

The instant petition has been filed by the petitioners seeking quashing of FIR No.110/2012 for the offences punishable under Sections 406/409/420/468/471/120-B IPC read with Sections 3/4/5/6 of the Prize Chits & Money Circulation Scheme (Banning) Act, 1978, registered at Police Station-Economic Offence Wing (EOW), Mandir Marg, New Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that a compromise/settlement has been arrived at between the parties in the matter.

Respondents No.2 and 3 are present in Court today and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners with their own free will and

choice without any threat, pressure and coercion as per the terms and conditions of the MOU/Settlement Deed dated 04.04.2009. Respondent No.2 further states that he has already received the part settlement amount of Rs.20,00,000/- (Rupees Twenty Lakh) from the petitioner No.1 and today he has received the balance amount of Rs.20,00,000/- (Rupees Twenty Lakh) through Demand Drafts No.229238, 229239, 229240 drawn on Corporation Bank from the petitioner No.1. He further states that he forgoes his claim against the respondents No.3 and 4. He further states that he has no claim whatsoever remaining against the petitioners and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. Photocopies of the Demand Drafts are taken on record.

Learned APP for State submits that the petitioners be burdened with heavy costs.

Learned counsel for the petitioners submits that the petitioners have already deposited the cost of Rs.25,000/- with Delhi High Court Legal Services Committee, DHC voluntarily. A receipt of cost of Rs.25,000/- is taken on record.

Statements of the parties have been recorded separately.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, 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, FIR No. 110/2012 for the offences

punishable under Sections 406/409/420/468/471/120-B IPC read with Sections 3/4/5/6 of the Prize Chits & Money Circulation Scheme (Banning) Act, 1978, registered at Police Station-Economic Offence Wing (EOW), Mandir Marg, New Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

AUGUST 08, 2017
afa