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

+ CRL.M.C. 2788/2016 CRL.M.A. 11879/2016

SUNITA DEVI & ANR.

..... Petitioner

Through Mr. Abhishek Rai, Adv. along with
Petitioners no. 1 & 2 in person.

Versus

STATE & ANR.

..... Respondent

Through Mr. Izhar Ahmad, APP for State with
SI Sunil Kumar, PS Govind Puri,
New Delhi.
Respondent no. 2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **02.11.2017**

SI Sunil Kumar has identified the respondent no. 2 Mr. Manoj Bhati s/o Sh. Shyam Pal as the complainant of FIR no. 246/2010 PS Govind Puri under Sections 420/468/471/34/120-B of the Indian Penal Code, 1860.

Respondent no. 2 has produced his original Driving Licence, photocopy of which is directed to be submitted on record, and is now so submitted.

Respondent no. 2 has also made a statement on oath submitting to the effect that he does not seek to pursue any further proceedings in relation to FIR no. 246/2010 PS Govind Puri under Sections 420/468/471/34/120-B of the Indian Penal Code, 1860 against the petitioners no. 1 and 2 i.e. Smt. Sunita Devi and Sh. Sunil Kumar respectively as arrayed in Criminal M.C.

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No. 2788/2016 pursuant to the Civil Suit No. 406/09 previously pending before ADJ-09 (Central), Tis Hazari, Delhi between the parties having been dismissed as withdrawn on 22.05.2013.

The status report placed on record by the State on 19.04.2017 is also an indicator to the effect that the original documents stated to have been prepared by forgery allegedly by the petitioners and had not been retrieved and had thus not been compared at the FSL with the documents being signatures of the petitioners.

In view thereof, a submission is made on behalf of the State as well by the learned APP for the State that the State has no opposition to the prayer made in the petition seeking quashing of FIR no. 246/2010 PS Govind Puri under Sections 420/468/471/34/120-B of the Indian Penal Code, 1860.

Taking into account the factum that the offence punishable under Section 420 of the Indian Penal Code, 1860 in terms of Section 320(2) of the Criminal Procedure Code, 1973 is compoundable with the permission of the Court and taking into account the factum that the original documents stated to bear forged signatures, have not been retrieved by the Investigating Agency and as a settlement has been arrived at between the parties, no useful purpose would be served by continuing the proceedings in question, even for the offences punishable under Sections 468/471/34/120-B of the Indian Penal Code, 1860.

In view thereof, the FIR no. 246/2010 PS Govind Puri under Sections 420/468/471/34/120-B of the Indian Penal Code, 1860 against the petitioners no. 1 and 2 i.e. Smt. Sunita Devi and Sh. Sunil Kumar

respectively and all consequential proceedings emanating therefrom against the petitioners no. 1 and 2 i.e. Smt. Sunita Devi and Sh. Sunil Kumar respectively are quashed.

Copy of the order be given *Dasti*, as prayed.

ANU MALHOTRA, J

NOVEMBER 02, 2017/mk