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

+ **W.P.(CRL) 1262/2017**

LOKESH GUPTA & ANR

..... Petitioner

Represented by: Mr. Kamal Gupta, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
SI Rajender Bhatia, PS Vikas
Puri.

Mr. Jitender Kr. Dhingra, Adv.
for R-2&3.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.12.2017

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By the present petition the petitioners seek quashing of FIR No. 354/2016 under Sections 406/34 IPC registered at PS Vikas Puri, Delhi on the complaint of Surender Kumar as Director of M/s. Kasturi Jewellers Pvt. Ltd. on the ground that parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR Kasturi Jewellers through its Director Surender Kumar is the only complainant and M/s. O.P. Jewellers Pvt. Ltd. through its Director Lokesh Gupta are the only accused.

W.P.(CRL) 1262/2017

page 1 of 3

Surender Kumar/ Respondent No. 2 is present in Court and is identified by the Investigating Officer. He on his own behalf and as Director of Kasturi Jewellers state that the parties have settled the matter before the Delhi Mediation Centre, Tis Hazari Courts on 3rd February, 2017 and in terms of the settlement suit filed by M/s. O.P. Jewellers Pvt. Ltd. being suit No. 620142/16 has since been withdrawn. He states that M/s. Kasturi Jewellers Pvt. Ltd. does not wish to pursue the above-noted FIR. Authorization in favour of Mr/ Surender Kumar by M/s. Kasturi Jewellers has been handed-over in Court and is taken on record.

Petitioner No.1/ Lokesh Gupta is present in Court. He is identified by the learned counsel. Lokesh Gupta on behalf of himself and as director of Petitioner No.2/ M/s. O.P. Jewellers Pvt. Ltd. states that the petitioners have settled the matter with the respondent No.2. The authorization in favour of Lokesh Gupta by M/s. O.P. Jewellers is placed on record as Annexure P-4 to the present petition.

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, FIR No. 354/2016 under Sections 406/34 IPC registered at PS Vikas Puri, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 18, 2017
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