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

+ W.P.(CRL) 2412/2016

PUNEET SINGH & ORS

..... Petitioner

Through: Mr. R.S. Juneja and Yogesh Kr Rana,
Adv. a/w petitioner no.4

versus

STATE OF DELHI & ORS

..... Respondent

Through: Mr. Avi Singh, ASC with Ms. Megha
Bahl, Adv. for State
Mr. Nitya Sharma for R-2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

07.02.2017

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The petitioners have filed the present petition seeking quashing of FIR No.324/2014 registered on the complaint of the complainant under Sections 420/468/471 IPC against the petitioners at Police Station Subzi Mandi.

Respondent no.2 is present with his counsel. He is identified by the IO.

The allegation against the petitioners is that the petitioners sold their property to the complainant by concealing that the same had been mortgaged to a bank. In fact, the representation made to the complainant was that the original title deeds had been lost, when the same had been deposited by the

petitioners while obtaining loan from the bank. Only subsequently, when the bank sought to recover its dues and undertook proceedings under the SARFEASI Act, the complainant learnt of the fraud played upon him by the petitioners.

Under the settlement, the petitioners have paid Rs.9.25 lacs to the complainant and the complainant acknowledges receipt of the said amount.

Counsel for the petitioner, on instructions, states that to atone for their conduct, the petitioners are ready and willing to be subjected to such costs as this court may deem appropriate.

Looking to the conduct of the petitioners, initially I was not inclined to quash the FIR and the proceedings arising therefrom. However, since the petitioners are ready and willing to atone for their conduct, and the petitioners have also settled their disputes with the complainant, and the complainant is also satisfied and does not wish to pursue the case any further, in the interest of justice, the FIR and the proceedings arising therefrom are quashed subject to the petitioners depositing Rs.50,000/- with Prime Minister's National Relief Fund. The amount be deposited within four weeks and proof of payment be provided to the IO, whereafter the case shall be closed.

It is pointed out that there is one another accused named Manpreet Kaur, who has not been impleaded as a petitioner. However, the complainant states that she does not wish to pursue her complaint against any of the accused.

Dasti.

VIPIN SANGHI, J

FEBRUARY 07, 2017 sr