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

+ **CRL.M.C. 1777/2017**

UNITECH LTD & ORS

..... Petitioners

Through: Mr.Vijay Kr. Aggarwal, Adv. with
Mr.Neeraj Kr. Jha, Adv.

versus

HARSIMRAN KAUR & ANR

..... Respondents

Through: Mr.Rakesh Kumar, Adv. for
complainant.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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02.05.2017

CRL.M.A.7239/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1777/2017 & CRL.M.A.7238/2017

This is a petition under Section 482 Cr.P.C for quashing of the complaint case bearing CC No.471176/16 titled 'Harsimran Kaur & Anr. Versus Unitech Ltd. & Ors.' and proceedings arising therefrom on the basis of compromise.

Learned counsel for the petitioners has submitted that the petitioners is a real estate company dealing in construction of flats and the respondents booked a flat which the petitioners could not deliver on time, resultantly, the respondents filed complaint under Section 200 Cr.P.C. He further submits that the matter has been amicably settled between the parties vide

Memorandum of Understanding dated 16.02.2017 and the terms of settlement has been acted upon and statement of authorized representative of the complainants to this effect was recorded before learned ACMM (South), Saket District Courts, Delhi on 30.03.2017 and offence under Section 420 IPC is already compounded. He further submits that the offence under Sections 409/120 B IPC being non compoundable, the complaint case was not withdrawn. He further submits that since all disputes have been settled between the parties and nothing remains to be adjudicated further between the parties, the aforesaid complaint case be quashed.

Mr.Amanveer Singh, special power of attorney holder of both the respondents is present in Court today and has been identified by his counsel. He submits that the matter has been amicably settled with the petitioners vide Memorandum of Understanding dated 16.02.2017. He submits that nothing remains to be adjudicated further between them and he has no objection if the aforesaid complaint case is quashed.

Keeping in view the submissions made by learned counsel for the parties, the complaint case bearing CC No.471176/16 titled 'Harsimran Kaur & Anr. Versus Unitech Ltd. & Ors.' and all proceedings arising therefrom are hereby quashed. Parties to remain bound by the terms of Memorandum of Understanding dated 16.02.2017.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MAY 02, 2017/radhika