

\$~22

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

+ W.P.(CRL) 2809/2016

ZAHID ALI & ORS

..... Petitioners

Through :Mr. Shahid Ali, Mr. Anwar Khalil
and Mr. Umar Daraz, Advs.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through :Mr. Rajesh Mahajan, ASC and Mr.
Peeyush, Adv. with SI Nagender
Naagar, P.S. Sarita Vihar.
Mr. Ghanshyam Mishra and Ms.
Kamlesh Vats, Advs. for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

23.02.2017

It is submitted that petitioners and respondent no.2 have settled their disputes before the mediation centre, Saket Courts, New Delhi vide proceedings dated 21st November, 2015 (Annexure P2), therefore, FIR may be quashed. Respondent no.2 is present in Court along with his counsel and has been identified by SI Nagender Naagar, P.S. Sarita Vihar. Respondent no.2 submits that he has settled the matter with the petitioners of his own free will and without any undue force, pressure or coercion. He further submits that the entire settled amount in terms of Annexure P2 has already

been received. However, he submits that subsequent to the settlement arrived at before the mediation centre, the petitioners had assured to pay another sum of ₹75,000/- to him. Learned counsel for the petitioners has handed over his personal cheque bearing no.000436 dated 23rd February, 2017 for the amount of ₹75,000/- favouring respondent no.2 drawn on Standard Chartered Bank, New Friends Colony, New Delhi to respondent no.2. Respondent no.2 has accepted this cheque subject to its realization. It is further pointed out that the suit has already been decreed in favour of petitioner no.1, in terms of settlement (Annexure P2).

Keeping in mind the settlement arrived at between the parties before the mediation centre, in the interest of justice, FIR No.220/2014 under Sections 420/468/471 IPC registered at police station Sarita Vihar, which is at the investigation stage, is quashed, subject to realization of the cheque.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

FEBRUARY 23, 2017/dk