

\$~5

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

+ **CRL.M.C. 4287/2016**

PAWAN AGGARWAL

..... Petitioner

Through: Mr.M.N.Dudeja, Adv. with Mr.Pawan
Aggarwal and Mr.Anuj Chauhan,
Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr.G.M.Farooqui, APP for State

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

12.01.2017

CRL.M.A.17861/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4287/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 196/2005, under Sections 419/420/466/467/468/471 IPC, registered at Police Station-Farsh Bazar, Delhi and all proceedings emanating therefrom.

Counsel for the petitioner has submitted that the petitioner is tenant of respondent No.2 Smt. Madhubala who gave store room on rent measuring 25 sq. feet on a monthly rent of Rs.300/- without electricity connection. He has further submitted respondent No.2 has given Power of Attorney in favour of Shri Kamal Kishore who is her son. He has further submitted that the petitioner got electricity connection in the aforesaid store room with the

help of officials from electricity department. He has further submitted that a complaint qua against the present petitioner was lodged by the landlord/respondent No.2 Smt. Madhubala and Attorney Shri Kamal Kishore that he forged the Power of Attorney and got electricity connection in the aforesaid store room. He has further submitted that due to some misunderstanding arisen between the parties, the attorney Shri Kamal Kishore got registered FIR No. 196/2005, under Sections 419/420/466/467/468/471 IPC at Police Station-Farsh Bazar, Delhi. He has further submitted that after registration of the FIR qua the petitioner, the relatives and the friends intervened and the matter has been settled between the parties vide settlement deed dated 2nd September, 2016. Learned counsel for the petitioner further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioner. He further submits that the parties want to lead peaceful life in near future and since all disputes have been settled between them, the FIR in question and all proceedings arising therefrom may be quashed.

Status report perused.

The respondent No.2 Smt. Madhubala and her son/attorney Shri Kamal Kishore are present in Court today and have been identified by the Investigating Officer, SI Arun Ahlawat, P.S. Farsh Bazar, Delhi. The respondent No.2 Smt. Madhubala and her son/attorney Shri Kamal Kishore also admit that the matter has been amicably settled with the petitioner vide settlement/compromise deed dated 2nd September, 2016 and have no claim or grievance left against the petitioner. They admit that the petitioner is tenant and is at present paying monthly rent of Rs.5,000/-. They further

submits that the settlement/compromise dated 2nd September, 2016 has taken place voluntarily, without any force, pressure or coercion. They further submit that they have no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the petitioner is stated to be tenant of respondent No. 2 and is paying monthly rent of Rs.5,000/- and the matter has been amicably settled between them and nothing remains to be adjudicated further, to meet the ends of justice, I deem it appropriate to quash the FIR No. 196/2005, under Sections 419/420/466/467/468/471 IPC, registered at Police Station-Farsh Bazar, Delhi, and all proceedings emanating therefrom.

The present petition is disposed of accordingly.

Copy of the order be given *dasti*.

I.S.MEHTA, J

JANUARY 12, 2017/radhika