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

+ W.P.(CRL) 3482/2016 and Crl. M.A. Nos.18923-924/2016

KISHAN LAL BANSAL & ORS

..... Petitioners

Through: Mr. Navin Sharma, Advocate.

versus

STATE & ORS

..... Respondents

Through: Mr. Avi Singh, ASC and Ms.Megha Bahl, Advocate along with SI Muneesh, PS–Anand Vihar, for the State.

Mr. Manish, Advocate for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

10.02.2017

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The petitioners have preferred this petition to seek quashing of FIR No.66/2008 registered under Sections 420/ 467/ 468/ 471 IPC dated 06.02.2008 registered at PS – Anand Vihar. Though the petition is premised on a compromise deed dated 20.05.2011, learned counsel for the respondent No.2/ complainant states that the compromise has failed.

Learned counsel for the petitioners points out that the petitioners have parted with about Rs.28 Lakhs to the complainant and on the concession granted by the petitioners, respondent No.2 has been released on bail. He

further submits that the petitioners have already withdrawn inter-parties litigation and the petitioners are even now ready & willing to quashing of the FIRs against the respondent No.2, which remain outstanding.

Mr. Singh submits that the charge-sheet already stands filed in this case on 04.02.2016, i.e. prior to filing of this petition and in the charge-sheet, even a public servant has been shown as an accused. He submits that the case involves forgery and fabrication of several documents, which were submitted for obtainment of factory license.

To this, the response of learned counsel for the petitioners is that the petitioners are not aware of filing of the charge-sheet. The petitioners are also taken by surprise inasmuch as in the status report dated 21.01.2010 filed before this Court in Bail Appln. No.1934/2009, the petitioners had virtually been exonerated.

Be that as it may, since the charge-sheet stands filed and it is open to the petitioners to argue for discharge, learned counsel for the petitioners seeks liberty to withdraw the petition with liberty to pursue the said rights of the petitioners.

The petition is, accordingly, dismissed as withdrawn with liberty to the petitioners to pursue their remedies in accordance with law.

VIPIN SANGHI, J

FEBRUARY 10, 2017

B.S. Rohella