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

+ CRL.M.C. 2976/2017

SHAKTI NATH & ANR

..... Petitioners

Through

Mr.Dayan Krishnan, Sr. Adv. with
Mr.Vija Kaundar, Mr. Nitish K.
Sharma, Advocates

versus

GOVT OF DELHI & ORS

..... Respondents

Through

Mr.Panna Lal Sharma, APP for State
ASI Dinesh Tyagi, P.S. Pandav Nagar

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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03.08.2017

Learned Senior Counsel for petitioners submits that the petitioners be allowed to amend the present petition by adding Pankaj Jain as petitioner No.3. The prayer is allowed. The amended memo of parties and affidavit are taken on record.

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.0743/2014, under Section 420 IPC, registered at P.S. Pandav Nagar and all the subsequent proceedings arising therefrom.

Learned Senior Counsel for the petitioners submits that the respondent No.2 Rajesh Sehgal is the complainant and the respondent No.3- Rita Sehgal is the wife of respondent No.2, in whose name the flat was to be allotted. He further submits that later on some misunderstanding has arisen between the parties, which resulted into registration of the aforementioned

FIR. He further submits that after the registration of the FIR, the near friends intervened and the matter has been amicably settled between the parties, which has been reduced into writing vide Settlement Deed dated 02.12.2014. He further submits that as per the settlement the money received by the petitioners have already been returned to the respondent Nos.2 & 3 vide demand draft No.324626, dated 04.12.2014, drawn on ICICI Bank in favour of respondent No.3. He further submits that nothing further remains to be adjudicated. He also submits that the present FIR is coming as hurdle in the working/smooth functioning of the company and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by IO, ASI Dinesh Tyagi. The respondent No.2 submits that he is also representing respondent No.3 through Authority Letter. He admits that the matter has been amicably settled with the petitioners and he along with respondent No.3 have received all the amounts which were paid by them to the petitioners by way of aforementioned demand draft. He further submits that the said settlement arrived at with the petitioners is voluntary and without any force, pressure or coercion and nothing remains to be adjudicated further between them. He further submits that he has no objection, if the FIR in question is quashed.

Looking into the above facts and circumstances of the case since the dispute has been amicably resolved and misunderstanding has been sorted out and nothing further remains to be adjudicated between them, to have peace in the life of the parties and better relations in near future and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same.

Consequently, the FIR No.0743/2014, under Section 420 IPC, registered at P.S. Pandav Nagar and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 03, 2017/km