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

+ **W.P.(CRL) 1936/2017**

SATISH KUMAR & ORS

..... Petitioners

Represented by: Mr. R.S. Kalkal Advocate with
petitioners in person.

versus

STATE NCT OF DELHI & Ors.

..... Respondents

Represented by: Mr. Jamal Akhtar Advocate for
Mr. Rahul Mehra, Standing
Counsel for State.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.11.2017

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By this petition, the petitioners seek quashing of the FIR No. 547/2013 under Sections 420/468/471/34 IPC registered at PS Najafgarh, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned proxy counsel for the learned Standing Counsel accepts notice. Learned proxy counsel for the State has handed over a status report which is taken on record. As per the status report the petitioners tried to occupy the plot in ownership and possession of respondent No. 2 on purported fake sale deed created in the name of one Ramesh Jha. During investigation the said Ramesh Jha could not be found and no person at the address given existed. During the course of investigation parties have

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entered into a settlement vide the compromise deed filed on 16th November, 2017, copy whereof is placed on record.

The complainant/Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she had settle the matter with the petitioners as the petitioners no more have any claim in her property, that is, Plot Nos. 215,216,217 and 218 admeasuring total 200 Sq. yards situated at Village Nangli Sakrawati Najafgarh. She states that she does not wish to pursue the above noted FIR and the proceedings pursuant thereto and she will abide by the terms of settlement arrived at between the parties.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement. The case of petitioner No. 1 is that he had got the documentation from petitioner No.3.

Considering that the parties have amicably resolved their differences of their own free will, volition and without any coercion and the main offender Ramesh Jha, in whose name the purported sale deed was prepared was not traceable, no useful purpose will be served in continuance of the proceedings, rather it would be an abuse of the process of the Court, thus it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 547/2013 under Sections 420/468/471/34 IPC registered at PS Najafgarh, Delhi and proceedings pursuant thereto are hereby quashed, subject to the each of the petitioners depositing a sum of

₹25,000/- each with the Delhi High Court Staff Welfare Fund within four weeks.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 24, 2017
‘yo’