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

+ **W.P.(CRL) 2141/2017**

JAGDISH CHAUHAN & ANR Petitioner

Represented by: **Mr. Suveet Singh, Adv.**

versus

THE STATE NCT OF DELHI & ANR Respondent

Represented by: **Mr. Premsagar Pal, Adv. for**
Mr. R.S. Kundu, ASC with SI
Suresh Kumar PS Inderpuri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.12.2017

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By the present petition the petitioners seek quashing of FIR No. 492/2016 under Sections 406/34 IPC registered at PS Rajouri Garden, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the Petitioners vide the settlement which was recorded vide order dated 4th May, 2016 before the learned Additional Sessions Judge. In lieu of the settlement

W.P.(CRL) 2141/2017

page 1 of 2

the respondent No.2 has received the total amount of ₹16,50,000/- in the form of 14 post-dated cheques. She further states that the 14 post-dated cheques have since been encashed and she has now no claim whatsoever against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, 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. 492/2016 under Sections 406/34 IPC registered at PS Rajouri Garden, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 07, 2017

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W.P.(CRL) 2141/2017

page 2 of 2