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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2968/2017
VIKRAM JITENDRA PANDYA

..... Petitioner

Through: Mr.Ankur Gupta and Ms.Jasvinder
Kaur, Advocates.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Sushil Sarwaria, P.S.
Defence Colony, New Delhi.
Mr.Satya Narayan & Ms.Meena
Kumari, Advocates for R-2 with R2
in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
01.08.2017

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Crl.M.A.No.12306/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2968/2017 and Crl.M.A.No.12307/2017 (stay)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.449/2015, under Sections 420/468/471/506/34 IPC, registered at Police Station defence Colony, New Delhi and all proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner and the

respondent No.2 were having commercial business transactions and during the course of business transactions, a dispute had arisen between the parties which resulted into registration of the aforesaid FIR against the petitioner. He further submits that after the registration of the FIR, the near friends and the relatives intervened and the matter in dispute has been amicably settled between the parties on 18.07.2017 and in terms of the said settlement all due amounts have been paid by the petitioner to the respondent No.2 and the last instalment amounting to Rs.2 lac has also been paid by the petitioner to the respondent No.2 vide demand draft bearing No.011326 dated 29.07.2016 and nothing further remains to be paid to him. Counsel further submits that after the registration of the FIR, the father and brother of the petitioners approached the Hon'ble Supreme Court for quashing of FIR and the same was allowed vide order dated 29.08.2016 passed in Criminal Appeal No.822/2016 arising out of Special Leave Petition (Criminal) No.1907/2016. Counsel further submits that since the dispute and misunderstanding have been sorted out and settled between the parties and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the petitioner and further submits that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Mr.Jaswant Singh is present in Court today and has been identified by the Investigating Officer SI Sushil Sarwaria, PS Defence Colony, New Delhi and also represented by his counsel. The respondent No.2 admits the factum of amicable settlement with the petitioner on 18.07.2017 and receiving of the settled amount from the petitioner and further submits that nothing further is to be received by him from the petitioner. He further submits that nothing remains to be

adjudicated further between them and he has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter in dispute has been amicably settled between the parties and in terms of the said settlement, the settled amount has been received by the respondent No.2/complainant from the petitioner and nothing remains to be adjudicated further between them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all its subsequent proceedings. Consequently, FIR No.449/2015, under Sections 420/468/471/506/34 IPC, registered at Police Station defence Colony, New Delhi and all proceedings emanating therefrom are hereby quashed. Parties to remain bound by the terms of settlement dated 18.07.2017.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 01, 2017
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