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

+ **CRL.M.C. 2989/2017**

SOMESH CHAUDHARY & ANR Petitioners

Through: Mr.Abhishek Bhardwaj and
Mr.Nitesh Singh, Advocates with the
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr.Hirein Sharma, APP for State with
SI Arun Kumar, P.S. Ghazipur, Delhi.
Mr.Nand Lal Mishra and Mr.Pradeep,
Advocates for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **03.08.2017**

Crl.M.A.No.12386/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2989/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.325/2016, under Sections 406/420/468/471/120-B IPC, registered at Police Station Ghazipur, Delhi and all subsequent proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the dispute in question is a commercial dispute and during the course of commercial

business transaction, a misunderstanding had arisen between the parties which resulted into the registration of the aforesaid FIR against the petitioners. Counsel further submits that after the registration of the FIR, the near friends in the business circle intervened and the matter in dispute has been amicably settled and the misunderstanding has been sorted out between the parties and the same has been reduced into writing on 01.05.2017. Counsel further submits that the terms of the said settlement have been acted upon between the parties voluntarily and without any force, pressure or coercion and nothing further remains to be adjudicated, however, the present FIR is coming as hurdle in the peaceful life of the petitioners and submits that the FIR in question and all subsequent proceedings arising of the same may be quashed.

The respondent No.2/complainant Mr.Murlidharan Pillai is present in person and has been identified by the Investigating Officer SI Arun Kumar, P.S. Ghazipur, Delhi and also represented by counsel Mr.Pradeep Khatana, Advocate. The respondent No.2 present in person admits the factum of amicable settlement with the petitioners and execution of settlement agreement on 01.05.2017. He further submits that he would be withdrawing the complaint case filed by him under Section 138 of the N.I. Act from the Karkardooma Courts, Shahdara, Delhi. He further admits that the said settlement reached with the petitioners is voluntary and without any force, pressure or coercion and nothing further remains to be adjudicated between them and further submits that he has no objection if the FIR in question is quashed.

Looking into the aforesaid facts and circumstances, since the matter in dispute is of commercial nature and the same has been amicably settled

between the parties and the same has been reduced into writing on 01.05.2017 and the terms of the said settlement have been acted upon between the parties and nothing further remains to be adjudicated between them, to have peace and better relationship between the parties in near future and to meet the ends of justice, I deem it appropriate to quash the FIR and all subsequent proceedings arising therefrom.

Consequently, FIR No.325/2016, under Sections 406/420/468/471/120-B IPC, registered at Police Station Ghazipur, Delhi and all subsequent proceedings arising therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement dated 01.05.2017.

The present petition is allowed and stands disposed of.

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

I.S.MEHTA, J

AUGUST 03, 2017

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