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

+ W.P.(CRL) 3716/2016 & CrI. M.A. Nos.20282-83/2016

UPENDER SHARMA & ANR

..... Petitioner

Through: Ms. Deepika, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Through: Ms. Nandita Rao, ASC with Ms.
Srilina Roy, Adv. with SI Vijay, PS
Burari
Mr. Himanshu Yadav for R-2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

02.01.2017

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The petitioners have filed the present petition seeking quashing of FIR No.792/2015 registered on the complaint of the complainant under Sections 468/471/120B 34 IPC against the petitioners at Police Station Burari.

The complainant is present in Court. He is identified by the Investigating Officer.

The petition is premised on a settlement arrived at on 08.12.2015, which has been placed on record. Under the settlement, the petitioners have agreed to return the amount of Rs.15 lacs to the complainant that they had received from him in relation to a property transaction. An amount of

Rs.9.5 lacs stands already paid and Rs.5.5 lacs has been tendered in court today to the complainant by way of a demand draft.

The complainant states that he has not been subjected to any pressure or coercion and that he has entered the settlement out of his own free will. The complainant further states that he joins the prayer for quashing of the FIR in question.

Though the complainant claims to have settled with the petitioners, this court, looking to the seriousness of the allegations, was not initially inclined to quash the FIR.

Learned counsel for the petitioner, on instructions, states that to show their bonafide, the petitioners are ready and willing to atone for their conduct and to pay costs as may be determined by this court.

In view of the aforesaid, no useful purpose would be served in proceeding further with the FIR in question and the proceedings emanating therefrom. The same are hereby quashed subject to deposit of costs of Rs.25,000/- with Prime Minister's National Relief Fund within two weeks. Receipt of cost be deposited with the IO and whereafter the case shall be closed.

Dasti.

VIPIN SANGHI, J

JANUARY 02, 2017

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