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

+ W.P.(CRL) 2845/2017

RAJIV BHATIA & ANR

..... Petitioners

Represented by: Mr. S. Mukherjee and Mr.
Avijit Singh, Advocates with
petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Jamal Akhtar, Advocate
for Mr. Rahul Mehra, Standing
Counsel for State with SI
Anand Pratap, PS Madhu
Vihar.
Mr. Nazimuddin, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.12.2017

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By the present petition the petitioners seek quashing of FIR No. 249/2016 under Sections 420/406/34 IPC registered at PS Madhu Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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

Respondent No. 2 is present in Court and is identified by the learned

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counsel and the Investigating Officer. He states that he has settled the matter with the petitioners before the Delhi Government Mediation and Conciliation Centre on 21st March, 2017. In lieu of the claim of respondent No.2 for a sum of ₹13 lakhs, the petitioners have agreed to pay a sum of ₹8 lakhs out of which ₹6 lakhs have already been received by him and the balance amount of ₹2 lakhs have been received by him through Demand Draft bearing No. 703783 dated 7th October, 2017 drawn on Punjab National Bank, West Vinod Nagar, Mandawali. He also states that he has no claim whatsoever remaining against the petitioners and in terms of the settlement he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and assure not to indulge in any of such activity and will abide by the terms of the Settlement. Petitioners also state that to show remorse they are willing to deposit some cost.

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. 249/2016 under Sections 420/406/34 IPC registered at PS Madhu Vihar, Delhi and proceedings pursuant thereto are
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hereby quashed subject to the each petitioner depositing a sum of ₹10,000/- each with the Juvenile Justice Fund maintained by the Registrar General of this Court 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.

DECEMBER 20, 2017
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