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

+ **W.P.(CRL) 3291/2017**

VIJENDER SINGH & ANR

..... Petitioners

Represented by: Mr. Kanwar Kochhar,
Advocate with petitioners in
person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State for Ms. Richa
Kapoor, Additional Standing
Counsel with ASI Kabool
Chand, PS Vasant Kunj.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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23.11.2017

Crl. M.A. No. 19358/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 338/2017 under Sections 420/406 IPC registered at PS Vasant Kunj South, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned APP appearing on behalf of learned Additional Standing Counsel accepts notice on behalf of the State.

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

The complainant/Respondent No. 2 is present in Court and is identified by the Investigating Officer. He states that he has entered into an agreement with the petitioner vide Compromise Deed dated 17th November, 2017 annexed as Annexure-B to the present petition. He further states that in terms of the settlement, a sum of ₹11 lakhs has already been received by him in full and final claim against the Agreement to Sell dated 8th July, 2015 and now he has no right or title in respect of property, that is, DDA Flat No. 409, 4th Floor, Y-5, Yamuna Block, Sector-D, Pocket-6, Vasant Kunj, New Delhi. He states that he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and he will abide by the terms of settlement arrived at between the parties.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties annexed as Annexure-B to the present petition.

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 it would be an abuse of the process of the Court, thus 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. 338/2017 under Sections 420/406 IPC registered at PS Vasant Kunj South, Delhi and proceedings pursuant thereto are hereby quashed, subject to the 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.

NOVEMBER 23, 2017
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