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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4167/2015
OMPAL & ORS

..... Petitioners

Through: Mr.Adil Sharfuddin and Mr.Ubaidul
Hasan Khan, Advocates with the
petitioners No.1 to 3 in person.

versus

BYPL & ORS

..... Respondents

Through: Mr.Puneet K.G. and Mr.Anurag
Vijay, Advocates for R1/BSES.
Mr.Izhar Ahmad, APP for State with
SI R.S.Pandit, P.S. Preet Vihar, Delhi.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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19.04.2017

This is a petition under Article 227 of the Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No.0228/2013, under Section 138 of the Indian Electricity Act, 2003 read with Section 43 of Information Technology Act, 2000 and Section 427 IPC, registered at Police Station Preet Vihar, Delhi and all proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioners were/are the employees of the respondent No.1 company. Counsel further submits that on the date of the alleged incident, there was a protest inside the office premises of the respondent No.1 company and due to misunderstanding taken place in the office, some miscreants had broken down CCTV camera and some other articles and installations present in the office premises. Thereafter, due to misunderstanding arisen between the management and the workers, the management of the respondent No.1

company got registered the aforesaid FIR against the petitioners at Police Station Preet Vihar, Delhi. Counsel further submits that after the registration of the FIR, good sense prevailed upon the Union of the workers and the management of the respondent No.1 company and the misunderstanding which led to the dispute was amicably resolved/sorted out to maintain better relationship and for smooth running and functioning of the respondent No.1 company and the management of the respondent No.1 company has agreed to settle the matter amicably with the petitioners and the same has been reduced into writing vide Annexure P-2. Counsel further submits that since the matter has been amicably settled between the parties and nothing further remains to be adjudicated between the parties, however, the FIR in question is coming as hurdle in the way of the present petitioners. He accordingly prays that the FIR in question and all proceedings arising therefrom may be quashed.

Learned counsel for the respondent No.1 company, who is present in Court, admits the factum of amicable settlement with the petitioners and has submitted that nothing further remains to be adjudicated and submits that he has no objection on taking instructions from the company if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled between the parties and the misunderstanding which led to the registration of the FIR has been resolved/sorted out and the same has been reduced into Annexure P-2 and nothing further remains to be adjudicated between the parties, to have peace and better relationship in the office at present and in near future, I deem it appropriate to quash the FIR and all its subsequent proceedings. Consequently, FIR No.0228/2013, under

Section 138 of the Indian Electricity Act, 2003 read with Section 43 of Information Technology Act, 2000 and Section 427 IPC, registered at Police Station Preet Vihar, Delhi and all proceedings emanating therefrom are hereby quashed. Parties shall remain bound by the terms of the settlement.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

APRIL 19, 2017

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