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

+ W.P.(CRL) 3593/2017

DILSHAD ALI & ANR

..... Petitioner

Through: Mr.Naushad A.Khan, Advocate with
Petitioners in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through: Mr.Kewal Singh Ahuja, APP for
Mr.Ashish Aggarwal, ASC for the
State with ASI Sanjeev PS Dabri
Mr.Shadab Mohiuddin, Advocate for
the Complainant with complainant in
person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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22.12.2017

1. This writ petition has been filed by the petitioner under Article 226 of the Constitution of India, read with Section 482 Cr.P.C. seeking quashing of the FIR No.244/2017 under Section 406 IPC, PS Dabri, Delhi.
2. Notice. Learned APP as above accepts notice on behalf of the State.
3. Case FIR No.244/2017 under Section 406 IPC, PS Dabri, Delhi has been registered on the basis of complaint made respondent No.2 on the breach of trust during the course of business between the parties. The dispute regarding the payment and withholding of the fabric arose between the parties which resulted into filing of the present FIR.

4. Petitioners are present in person alongwith their counsel.
5. Learned counsel for the petitioners submit that the parties have settled their dispute vide compromise deed dated 17th October, 2017, copy of which has also been placed on record. Learned counsel for the petitioner further submits that in terms of the compromise the petitioners have already returned the fabric as mentioned in the FIR to the respondent No.2/complainant. He further submits that since the parties have settled their dispute amicably, no purpose would be served in continuing the criminal proceedings against the petitioners, hence the FIR in question may be quashed.
6. Respondent No.2 is present in person and affirms the factum of settlement with the petitioners. He further submits that he does not want to continue with the criminal complaint filed against the petitioners and has no objection if the present FIR and proceedings emanating therefrom are quashed.
7. The offence punishable under Section 406 IPC is a compoundable offence. In view of the amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.
8. Accordingly, the petition is allowed and FIR No.244/2017 under Section 406 IPC, PS Dabri, Delhi is hereby quashed.

Order dasti.

PRATIBHA RANI, J.

DECEMBER 22, 2017

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