

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-7811-2015 (O&M)
Date of Decision: 12.07.2018

Ajay Nagrath and Ors

...Petitioners

vs.

State of Punjab & Ors

..Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S.Gill, Advocate, for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Anil K. Aggarwal, Advocate, for respondents No. 5 to 11.

ARVIND SINGH SANGWAN, J. (Oral):

Learned counsel for respondents No. 5 to 11 submits that the matter between the parties has already been settled before the Hon'ble High Court of Delhi, vide order dated 15.12.2017. The order is reproduced as under:-

“ The instant petition has been filed by the petitioners seeking quashing of FIR No.642/2013 under Sections 406/420/468/471/1209b) IPC registered at Police Station – Malviya Nagar, Delhi, on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have resolved their disputes amicably in terms of the MOU dated 13th July, 2017.

Verification report has been filed stating that there are 9 accused persons in the instant case. Accused No. 1 to 6 belongs to Mehra Group and 7 to 9 belong to Narath Group i.e present petitioners. It is further stated that “ The complainant also stated that the other accused persons (Mehra Group) are not the part of the MOU and complainant has not settled the matter with Mehra Group. Complainant only settled the matter with present petitioners.” Status report is taken on record.

The complainant, Mr. Yogesh Rathi, who is the authorized representative of the Director of Mangalam Energy Development Company Pvt. Ltd., Plot No. 8, Block-A, First Floor, Shivalik Malviya Nagar, New Delhi – 110017 is present today and is identified by the Investigating Officer. He states that he has settled the matter with the petitioners with his own free will and choice without any threat, pressure and coercion. He further submits that he does not wish to pursue the abovementioned complaint case and the proceedings pursuant thereto.

Petitioner No.1 Ms. Kusum Nagrath, is an old lady of 80 years and is exempted and her statement is recorded through her counsel today. Ajay Nagrath, petitioner No.2 is present today. Mr. Rohit Nagrath, petitioner No.3 is also exempted today on the application given by his counsel.

Statements of the parties have been recorded separately.

In view of the fact that the parties have amicably resolved their differences voluntarily out of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings. 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, the FIR No. 642/2013 under Sections 406/420/468/471/1209b) IPC registered at Police Station- Malviya Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.”

In view of the same, this petition is rendered as infructuous.

Disposed of.

12.07.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether Reportable : Yes/No