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

+ W.P.(CRL) 75/2018

ABDUL RASHID & ANR.

... Petitioners

Represented by: Mr.Rahul Kumar Singh, Advocate

versus

STATE OF NCT OF DELHI & ORS.

..... Respondent

Represented by: Mr.Rajesh Mahajan, ASC for the
State with Ms.Jyoti Babbar, Advocate
SI Shashi Kant, PS Seemapuri

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.11.2018

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1. By this petition, the petitioners seek quashing of FIR No.283/2013 under Sections 420/34 IPC registered at PS Seema Puri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused, respondent No.2 the complainant/victim and respondents No.3 to 6 the other complainants who are all family members respondent No.5 being M.S.Raja and respondents No.2, 3, 4 and 6 being his children.

3. Respondents No.2, 3, 4 and 6 are present in Court and are identified

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by the Investigating Officer. Respondent No.5 has executed a Power of Attorney in favour of Ashok Kumar, respondent No.3 which has been placed on record. Respondents No.2, 3, 4 and 6 and respondent No.3 on behalf of respondent No.5 state that they have settled the matter with the petitioners vide Memorandum of Understanding dated 14th December, 2017 copy whereof is annexed from pages 28 to 35 of the paper book. In terms of the settlement, the petitioners have executed the sale deed of property bearing No.D-2-F/6, 2nd Floor, Ashirwad Apartment, Dilshad Colony, Delhi in favour of respondents Arun Kumar, Ashok Kumar, Anil Kumar and M.S.Raja and the private respondents have already paid a sum of ₹2 lakh to the petitioners and ₹2.50 lakh will be paid to the petitioners at the time of execution of the sale deed. They state that in view of the settlement arrived at between the parties, they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. They also undertake to abide by the terms of settlement arrived at between the parties.

4. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 to 6 and undertake to abide by the terms of settlement arrived at between the parties.

5. 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.

6. Consequently, FIR No.283/2013 under Sections 420/34 IPC registered at PS Seema Puri and proceedings pursuant thereto are hereby quashed.
7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.
8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 01, 2018
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