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

+ **CRL.M.C. 227/2013**

PRAVEEN JAIN

..... Petitioner

Through

Mr. Sanjay Kumar with Mr. Kuldeep
and Mr. S. Parihar, Advocates for the
petitioner.

versus

GOVT OF NCT OF DELHI & ORS. Respondents

Through

Mr. Arun Kumar Sharma, APP for the
State.

Mr K.S. Parihar, Advocate for R-2 to
4 with R-2 to 4 in person.

ASI Tej Raj, PS Najafgarh.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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14.05.2018

CRL.M.C. 227/2013

1. Original mediation Settlement Agreement is on record. However, the same has not been scanned and tagged along with the digital file. The Registry is directed to complete the digital file.

2. The petitioner seeks quashing of FIR No.234/2002 under Sections 420/468/471/448/120-B IPC, Police Station Najafgarh, based on a settlement.

3. The subject FIR was registered consequent to the sale of the land of the petitioner by respondent No.21 to respondent Nos.2 to 20.

4. Learned counsel for the petitioner points out that by order dated

27.04.2005 in W.P. (Crl.) 319/2004, it was noticed that 21 out of 24 complainants have settled with the petitioner and respondent Nos.2, 3 and 4 have not settled with the petitioner. In the said proceedings, FIR was quashed qua the complainants other than the respondent Nos.2 to 4. Learned counsel for the petitioner points out that by order dated 02.02.2007 in Crl. Appeal. No.156/2007, the matter was remitted back with regard to the respondent Nos.2 to 4.

5. Learned counsel for the petitioners further submits that disputes between the petitioner and respondent Nos.2 to 4 have been settled through the process of mediation held before the Delhi High Court Mediation & Conciliation Centre and a Settlement Agreement dated 07.05.2018 has been executed between the parties. Affidavits have also been filed in Court.

6. The respondent Nos.2 to 4 are present in person, represented by counsel and are identified by the Investigating Officer. They confirm that the disputes have been settled and under the settlement terms, petitioner has transferred portion of his land to the said respondents and has also paid a sum of Rs.25,000/- each to respondent Nos.2 and 3. They submit that they do not wish to press their complaint against the petitioner.

7. The petitioner, who is present in Court, undertakes that the other formalities as would be required in terms of the Settlement Agreement for transferring the respective portions of lands in the names of the respondents shall be carried out by the petitioner. The

undertaking is accepted.

8. In view of the above and keeping in view of the fact that the parties have resolved their dispute and a Settlement Agreement dated 07.05.2017, has been executed between the parties, and further respondent No.2 to 4 does not wish to press their complaint against the petitioners, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

9. Accordingly, the petition is allowed. FIR No.234/2002 under Sections 420/468/471/448/120-B IPC, Police Station Najafgarh and the consequent proceedings emanating therefrom are hereby quashed.

10. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 14, 2018
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