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

+ **W.P.(CRL) 404/2018**

ASLAM & ORS

..... Petitioners

Represented by: Mr. Narender Vashistha,
Advocate with petitioners in
person.

versus

STATE (THE NCT OF DELHI) & ORS

..... Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for the State
with Mr. Siddharth Sindhu,
Advocate with SI Sohan Lal,
PS Mehrauli.
Mr. Sunil Satyarthi, Advocate
for respondent No.2 with
respondent No.2 in person and
Mr. Shyam Sunder Tyagi,
attorney of respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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07.02.2018

Crl. M.A. No. 2375/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 404/2018

By the present petition the petitioners seek quashing of FIR No. 422/2011 under Sections 420/34 IPC registered at PS Mehrauli, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the

W.P.(CRL) 404/2018

Page 1 of 3

ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and the respondent No. 2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioners on 15th January, 2018 before the Mediation Centre, Saket Courts, copy whereof is annexed as Annexure –B to the present petition. In terms of the settlement respondent No.2 has already received a sum of ₹7.50 lakhs and the balance amount of ₹7.48 has been paid today vide Bankers Cheque No. 077154 dated 23rd January, 2018 drawn on State Bank of India, Mehrauli and ₹2,000/- in cash. Respondent No.2 states that he has now no claims remaining against the petitioners and the Agreement to Sell entered into between the petitioners and respondent No.2 stands cancelled. He states that he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and he will abide by the terms of the settlement.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of the settlement.

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, it would be in the interest of justice to quash the abovementioned FIR and the

W.P.(CRL) 404/2018 ***Page 2 of 3***

proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 422/2011 under Sections 420/34 IPC registered at PS Mehrauli, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 07, 2018
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