

\$~1

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

+ W.P.(CRL) 683/2018

RUBESH GUPTA

..... Petitioner

Represented by: Mr.Pankaj K. Sharma, Adv.
with petitioner in person

versus

THE STATE & ANR

..... Respondents

Represented by: Mr.Rajesh Mahajan, ASC for
STaate with Ms.Jyoti Babbar,
Adv.
SI Yashpal and HC Ramesh
Kumar, PS Kalkaji.
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

06.04.2018

By this petition, the petitioner seeks quashing of an FIR No.491/2017 under Sections 380/411 IPC registered at PS Kalkaji on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled their matter.

Learned ASC for State, on instructions from the Investigating Officer submits that in the above noted FIR the petitioner is only accused and the respondent No.2 is the only complainant/ victim.

Learned ASC for the State further submits that the laptop recovered during the course of the present investigation is required in FIR No.689/2017 under Section 380 IPC, registered at PS Faridabad, Sector-31, Haryana and be permitted to be transferred in the said investigation.

Respondent No.2 is present in the Court and is identified by the

Investigating Officer. He submits that he has settled the matter with the petitioner *vide* MOU dated 07th February, 2018 and he does not wish to pursue the above noted FIR and the proceedings thereto. He further submits that he will abide by the terms of settlement arrived at between the parties.

Petitioner is present and is identified by the learned counsel. He affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties *vide* MOU dated 07th February 2018 copy whereof is annexed at pages 17 to 19 of the paper book and will be careful in near future. He also undertakes to abide by the terms of 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 proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 491/2017 under Sections 380/411 IPC registered at Kalkaji 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.

The Investigating Officer may transfer the laptop for investigation in FIR No. 689/2017 under Section 380 IPC registered at PS Faridabad, Sector 31, Haryana in accordance with law. Order *dasti*.

APRIL 06, 2018/neelam
W.P.(CRL) 683/2018

MUKTA GUPTA, J.
2 of 2