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

+ **CRL.M.C. 2346/2013**

HARENDER RANA & ANR. Petitioners

Through: Ms.Sudha Sharma, Adv. with
petitioners in person.

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Ms.Manjeet Arya, APP with SI Ravi
Kumar, PS Miyawali.
Mr.B.K. Mishra, Adv. for R-2 with
Mr.Vipin Singh, authorised
representative of R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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14.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.149/2012 registered u/s 394/397/34 IPC read at P.S Mianwali Nagar, Delhi on the basis of settlement arrived at between the parties.

2. Learned counsel for the petitioners submits that the petitioner no.1 is an ex-employee of the respondent no.2/company. He further submits that in the year 2012, when the petitioner no.1 was still working with the respondent no.2, the captioned FIR was registered against him and his cousin brother i.e. petitioner no.2 on the basis of a complaint by the respondent no.2 alleging that the petitioner no.1 in

conspiracy with the petitioner no.2 had misappropriated a sum of Rs.1,16,220/- belonging to the company.

3. Learned counsel for the petitioners submits that the parties have now with the intervention of other employees of the company and after payment of the sum of Rs.1,16,220/- to the respondent no.2 by the petitioners decided to amicably resolve their disputes. She further submits that the petitioners volunteer to pay costs as may be directed by this Court and submits that since the respondent no.2 has categorically agreed not to pursue the criminal proceedings, the FIR and the consequential proceedings be quashed.

4. The petitioners as also Mr.Vipin Singh, the authorised representative of respondent no.2 are present in Court and have been identified by the Investigating Officer. Respondent no.2 is also represented by a counsel. The Board of Resolution duly authorising Mr.Vipin Singh to depose on behalf of the respondent no.2 has been perused and the same authorises Mr.Vipin Singh to make a statement in support of the present petition has been filed. I have also interacted with Mr.Vipin Singh who states that he has instructions to state that the respondent no.2/company also does not want the criminal proceedings to continue. He, therefore, prays that the FIR and consequential proceedings be quashed.

5. I have considered the submissions of the learned counsel for the parties and perused the records. Keeping in view the fact that the FIR emanates out of a dispute between an employer and its ex-employee, which now stands amicably resolved, no useful purpose will be served in continuing with the criminal proceedings. The ends of

justice demand that the FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.25,000/- each as costs to the CRPF Wives Welfare Association in State Bank of India Account No.10591438490 within one week from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 14, 2018

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