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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 948/2017 & CRL.M.A. 3942/2017**

AJAY KUMAR @ AJAY RANA Petitioner
Through: Mr. R.K. Tarun and Mr. Rohit
Shukla, Advocates with petitioner in
person.

versus

STATE & ANR. Respondents
Through: Mr. Izhar Ahmad, APP for the State.
Respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **05.10.2018**

Learned counsel for the petitioner, on instructions of petitioner, has offered to deposit ₹25,000/- with the Kerala Chief Minister's Distress Relief Fund.

Petitioner lodged an FIR No. 74/2008 under Section 379 IPC at Police Station Tughlak Road, New Delhi alleging therein that his Ford Endeavour vehicle bearing No. DL-4C-AF-4029 was stolen from India Gate at about 10 P.M. During the investigation, said vehicle was recovered from the respondent No.2-Mr. Pradeep Sharma, who disclosed that he had purchased the vehicle from petitioner vide receipt dated 2nd May, 2008. Accordingly offences under Sections 182/411/468/471/420/406/120B IPC were added in the FIR and petitioner was made an accused. Receipt produced by the respondent No. 2 was sent to FSL and its report was obtained. As per the FSL report, signatures on the receipt could not be verified to be that of petitioner. One Pradeep Kumar was also made co-accused but he has died.

Charge sheet has already been filed.

It is submitted that the petitioner and respondent No. 2 have settled their disputes amicably, therefore, aforesaid FIR and consequent proceedings arising therefrom may be quashed.

Respondent No. 2 is present in Court and he submits that he has settled the matter with the petitioner of his own free will and without any undue force, pressure or coercion. Respondent No. 2 says that he already received the settled amount and has no objection if FIR is quashed.

Keeping in view the settlement arrived at between the petitioner and respondent no.2 and also the fact that signatures of petitioner could not be verified on the alleged receipt by the FSL, I am of the view that no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings are quashed, subject to petitioner depositing ₹ 25,000/- with the Kerala Chief Minister's Distress Relief Fund within one week. Receipt, evidencing deposit of costs, be filed in the Registry. In case receipt is not filed, Registry shall list the matter in Court.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

OCTOBER 05, 2018
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