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

+ W.P.(CRL) 895/2018 and CrI.M.A. No. 5555/2018 (stay)

RAMESHWAR DAYAL & ORS

..... Petitioner

Represented by: Mr. Shekhar Gupta, Advocate.
Petitioner Nos. 2 and 3 in
person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
SI Veer Singh, PS Kapashera.
Mr. Dhiraj Sachdeva, Advocate
for R-2. R-2 in person.
Mr. Gurmehar S. Sistani,
Advocate for R-3 along with
Mr. G.S. Anand, GPA holder
of R-3.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.04.2018

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By the present petition the petitioners seek quashing of FIR No. 58/2018 under Sections 420/120B IPC registered at PS Kapashera, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the three petitioners are the only accused and the respondent No.2 is the only complainant/ victim and the
W.P.(CRL) 895/2018

page 1 of 3

newly added R-3 the other victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer, respondent No. 3 the other victim in the FIR in question in Smt. Harshaleen Kaur who has executed General Power of Attorney in favour of Gurmeet Singh Anand who is present in Court and is identified by the learned counsel and the Investigating Officer. Copy of GPA in favour of Gurmeet Singh Anand is at pages 43 to 44 of the paper book. Respondent No. 2 and GPA holder of respondent no. 3 states that the matter has been settled between the parties vide the settlement deed dated 20th March, 2018, copy whereof is annexed at pages 30 to 42 of the paper book. Pursuant to the settlement deed dated 20th March, 2018 the suit filed by the petitioner No. 1 Rameshwar Dayal being CS(OS) 173/2016 has been decreed under Order 23 Rule 3 CPC.

They further states that claims of respondent Nos. 2 and 3 stand satisfied and they have no objection to the quashing of the above noted FIR and the proceedings pursuant thereto.

Respondent No. 2 and GPA holder respondent No. 3 further undertake to abide by the terms of settlement arrived at between the parties.

Petitioner Nos. 2 and 3 are present in Court. Petitioner No. 1 was present in Court on 23rd March, 2018, however, as he is suffering from cancer and aged 78 years, he is exempted from appearing in this Court today.

Petitioner Nos. 2 and 3 on their behalf and on behalf of petitioner No. 1 state that they have settled the matter with the respondent Nos. 2 and 3 in terms of the settlement deed dated 20th March, 2018 and all the three

W.P.(CRL) 895/2018 ***page 2 of 3***

petitioners undertake 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. 58/2018 under Sections 420/120B IPC registered at PS Kapashera, 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.

APRIL 09, 2018
‘yo’