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

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Judgment delivered on: 03.08.2018

+ CRL.M.C. 1571/2018

DINESH KUMAR & ORS

..... Petitioners

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners:

Mr. Fidel Sebastian, Advocate

For the Respondents:

Ms. Neelam Sharma, Addl. PP for
the State with SI Manoj Chahar, PS Paschim
Vihar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No.179/2016 under Sections 406/420/468/471/34 IPC Police Station Paschim Vihar. Subject FIR was registered on the complaint of the Manager of M/s Paschim Gas Service contending that the petitioners had been engaged as delivery boys for delivery of gas cylinders but on complaints of short delivery, wrongful delivery and mis-delivery etc., their services

were terminated. Thereafter the petitioners are alleged to have made false complaint with Labour Commissioner based on forged and fabricated documents of their employment.

2. The owner of the complainant company as well as petitioners were referred to Mediation and a settlement deed dated 02.11.2017 has been executed before the Mediation Centre, Karkardooma Courts. As per the settlement, the complainant/respondent No. 2 had agreed to pay a total sum of Rs.25,000/- to the petitioners in full and final settlement of all their claims raised before the labour commissioner. Petitioners, who are present in person before the Court, confirm that they have received the said sum of Rs.25,000/- and have also withdrawn their complaint before the Labour Commissioner. They submit that they have settled all their disputes and they have no claim remaining against respondent No.2.

3. Respondent No.2 present in Court in person, represented through counsel and identified by the Investigating Officer, submits that she has settled all her disputes with the petitioners and does not wish to prosecute the FIR any further and has no objection to the quashing of the FIR and the consequent proceedings arising therefrom.

4. In view of the fact that parties have settled all their disputes and respondent No.2 does not wish to prosecute her complaint against the petitioners, continuation of criminal proceedings will be an exercise in

futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

5. In view of the above, the petition is allowed. The FIR No. 179/2016 under Sections 406/420/468/471/34 IPC Police Station Paschim Vihar and the consequent proceedings arising therefrom are, accordingly, quashed.

6. Order *Dasti* under the signatures of the Court Master.

AUGUST 03, 2018
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SANJEEV SACHDEVA, J

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