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

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Judgment delivered on: 19.07.2018

+ CRL.M.C. 1643/2018

SATNAM SINGH

..... Petitioner

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. D.V. Goyal, Advocate.

For the Respondents: Ms. Neelam Sharma, APP for State.
SI Neeraj Kumar, PS S.B. Dairy.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

19.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No.305/2012 under Sections 420/468/471/120-B IPC, Police Station Shahbad Dairy. The petitioner was discharged of the offence under Section 467 IPC.

2. As per the FIR, the petitioner as well as the co-accused had entered into a transaction with the complainant for sale of the property and, for purchase of which, a sum of Rs.20,00,000/- was paid as

earnest money. Subsequently, it transpired that the documents which were handed over to the complainant were forged.

3. One of the co-accused Manjeet @ Maheshwar Singh @ Surender @ Bagga has since expired. This fact has been verified by the Investigating Officer.

4. The other co-accused Pawan Kumar and Smt. Shakuntala are absconding and have been declared absconders by the Trial Court.

5. The petitioner as well as the complainant have settled their disputes and Settlement Agreement dated 16.03.2018 has been executed before the Delhi Mediation Centre. As per the settlement, the petitioner has agreed to pay a total sum of Rs.1,50,000/- to the complainant.

6. The petitioner has paid a sum of Rs.25,000/- each in cash to the respondent Nos.2 and 3 outside the Court and has also paid the balance sum of Rs.50,000/- each by way of the following demand drafts: - (a) DD No.723362 dated 17.07.2018 drawn on Andhra Bank and (b) DD No.723361 dated 17.07.2018 drawn on Andhra Bank.

7. The respondent Nos.2 and 3 are present in Court in person and identified by the Investigating Officer. They confirm that they have settled their disputes with the petitioner and have received their settlement amount of Rs.75,000/- each. They have also filed their affidavits in support of the petition agreeing to the quashing of the

subject FIR qua them.

8. In view of the above and keeping in view of the fact that the other co-accused have already been declared proclaimed offenders, the subject FIR No.305/2012 under Sections 420/468/471/120-B IPC, Police Station Shahbad Dairy is quashed only against the petitioner. This would be without prejudice to the proceedings against the other co-accused, who have been declared as proclaimed Offender.

9. Learned counsel for the petitioner submits that the petitioner has deposited a sum of Rs.5,00,000/- before the Trial Court as a precondition for grant of bail. He prays that the said FDR be released to the petitioner.

10. In view of the fact that the FIR against the petitioner has been quashed, the security furnished by the petitioner as a precondition for grant of bail be released to the petitioner.

11. Order Dasti under the signatures of the Court Master.

SANJEEV SACHDEVA, J

JULY 19, 2018
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