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

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Judgment delivered on: 09.08.2018

+ CRL.M.C. 1839/2018

SAJID IQBAL & ORS

..... Petitioners

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Santosh Kumar Singh, Advocate.

For the Respondent: Ms. Neelam Sharma, APP for the
State
SI Dharmendra Pratap Singh, PS Samaipur Badli.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR 49/2012 under Sections 454/380/411/34 IPC, Police Station Samaipur Badli.

2. As per the allegations in the FIR, two of the co-accused, who were the employees of the complainant, in connivance with others, made a duplicate key and stole bundles of papers from the godown of the complainant.

3. Learned counsel for the petitioners submits that the parties have settled their disputes and a Settlement Agreement dated 20.11.2017 has been executed between the parties. As per the settlement, the petitioners have paid a sum of Rs.4,00,000/- to the respondent/complainant to compensate towards the loss that he has sustained.

4. The respondent No.2 is present in person and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioners and has received the said settlement amount of Rs.4,00,000/-. He further submits that he does not wish to press the complaint against the petitioners any further and has no objection in case the subject FIR is quashed.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, 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.

6. In view of the above, the petition is allowed. FIR 49/2012 under Sections 454/380/411/34 IPC, Police Station Samaipur Badli and the consequent proceedings emanating therefrom are, accordingly quashed, subject to payment of cost of Rs.5,000/- to be paid by each

of the petitioners to the *Delhi High Court Bar Association Advocates Welfare Trust* within a period of two weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

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

AUGUST 09, 2018
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SANJEEV SACHDEVA, J

