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

+ W.P.(CRL) 1481/2018

RAJEEV KUMAR

..... Petitioner

Represented by: Mr.Krishna Dev Pandey, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Ms.Richa Kapoor, ASC for the State
with SI Ramesh, PS Mundka
Mr.Hitesh Kumar, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.09.2018

1. By this petition, the petitioner seeks quashing of FIR No.210/2015 under Sections 420/467/471 IPC registered at PS Mundka, Delhi on the complaint of respondent No.2 on the ground that parties have settled the matter.
2. Learned Additional Standing Counsel for the State on instructions submits that in the abovenoted FIR the petitioner is the only accused and complaint was lodged by respondent No.2, daughter of Late Jai Kishan on the allegations that the petitioner opened a joint account in his name and name of Jai Kishan and after death of Late Jai Kishan withdrew the amount therefrom. She states thus besides Neha the other two legal heirs of Jai Kishan namely Kamla Kumari, his wife and Arun, his son are also the victims.

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3. Amended memo of parties has already been filed and the three legal heirs of Jai Kishan have been impleaded as respondent Nos.2 to 4. Respondent Nos.2 to 4 namely Neha, Kamla Kumari and Arun are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioner vide the agreement-cum-receipt dated 25th December, 2015 pursuant where to they have received a sum of ₹11 lakhs in full and final settlement towards their claims and have now no claim whatsoever against the petitioner. They state that they do not wish to pursue the abovenoted FIR and the proceedings pursuant thereto.

3. Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent Nos.2 to 4 and undertakes to abide by the terms of settlement arrived at between the parties. To show remorse, he undertakes to deposit cost.

4. 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.

5. Consequently, FIR No.210/2015 under Sections 420/467/471 IPC registered at PS Mundka, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹25,000/- with Chief Minister's Distress Relief Fund, Kerala within two weeks receipt whereof will be placed on record.

6. Parties have signed this order sheet in acknowledgment of their statements made before this Court.
7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 27, 2018

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