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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2624/2018**

VIJAY AHUJA & ORS

..... Petitioners

Through : Mr Rajmangal Kumar, Advocate.

versus

STATE (GOVT OF NCT DELHI) & ORS

..... Respondent

Through : Mr Akshai Malik, APP.
Mr Archit Vasudeva, Advocate for
R-2 to 4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **16.05.2018**

Crl. M.A. 9311/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2624/2018

1. Petitioners seek quashing of FIR No.241/2007 under Sections 420/468/471/34 IPC, Police Station Deshbandhu Gupta Road, based on a Settlement.

2. The parties are related to each other. Petitioners 1 & 2 are the brothers of the wife of respondent No.2. Petitioners 3 & 4 are the sons of petitioners 1 & 2 respectively. Respondents 3 & 4 are the children of respondent No.2. Petitioner No.3 is represented through

petitioner No.1 – his father and also the Special Power of Attorney Holder. Respondents 3 & 4 are represented through respondent No.2, who is their father and also the Special Power of Attorney Holder.

3. Subject disputes emanate out of family discord with regard to inheritance of a property left behind by the late parents of petitioners 1 & 2 as well as wife of respondent No.2. Apart from the subject disputes, parties were also litigating before the Civil Court. All disputes between the parties have been settled by Deed of Compromise/Settlement dated 29.04.2014. Consequent to the said Settlement, an application under Order XXIII Rule 3 Code of Civil Procedure (CPC) was filed before the Civil Court and the property was partitioned by metes and bounds in terms of the Settlement Agreement between the parties and the suit was accordingly decreed. Parties submit that they have settled all their disputes and have no claims surviving against each other.

4. Respondent No.2, who is present in Court in person and also representing respondent Nos.3 & 4 confirms the settlement and submits that they have no further claims against the petitioners and all disputes qua the parties have been settled.

5. In view of the above and keeping in view of the fact that the parties have resolved their dispute by Deed of Compromise/Settlement dated 29.04.2014 with a view to restore peace and harmony between them and further they do not wish to press charges against each other, 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 there from.

6. Accordingly, FIR No.241/2007 under Sections 420/468/471/34 IPC, Police Station Deshbandhu Gupta Road and the consequent proceedings emanating there from are hereby quashed, subject to the petitioner depositing costs of Rs.30,000/- in total, which shall be paid to the “*Delhi High Court 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 Court Master.

SANJEEV SACHDEVA, J

MAY 16, 2018

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