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

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Judgment delivered on: 05.07.2018

+ CRL.M.C. 2715/2018

GOPI GOYAL & ANR.

..... Petitioners

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners :

Mr. S.K. Gulati with Mr. Arun S. Bhati, Advocates.
Mr. Pradeep Shukla, Advocate for petitioner No.2.

For the Respondents:

Mr. Panna Lal Sharma, APP for the State.
SI Arun Kumar, PS Tilak Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No.149/2017 under Sections 420/406/34 IPC, Police Station Tilak Nagar, based on a settlement.

2. The subject FIR emanates out of a dispute with regard to the sale of a property, which was intended to be sold by the petitioner to the respondent No.2. It is alleged in the FIR that a sum of Rs.25,00,000/- was paid to the petitioner.

3. Learned counsel for the petitioners submits that the parties were referred to mediation and they have settled their disputes before the Delhi Mediation Centre, Tis Hazari Courts on 06.04.2018.

4. As per the settlement terms, the complainant has agreed to receive a total sum of Rs.14,00,000/- in full and final claims against the petitioners. The suit filed by the complainant has already been withdrawn in terms of the settlement. A sum of Rs.4,00,000/- has already been paid and the balance sum of Rs.10,00,000/- is paid to the respondent No.2 by way of two cheques bearing Nos.076064 and 076065, dated 21.05.2018 drawn on Bank of India, both in the sum of Rs.5,00,000/-.

5. The petitioners, who are present in Court, undertake that the cheques shall be honoured on their presentation. The undertaking is accepted.

6. Respondent No.2 is present in person and is identified by the Investigating Officer. He submits that he has settled the disputes with the petitioners. He further submits that he does not wish to press the complaint against the petitioners any further.

7. In view of the fact that the disputes between the parties has been settled, 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 also be expedient to quash the subject FIRs and the consequent proceedings emanating therefrom.

8. In view of the above, FIR No.149/2017 under Sections 420/406/34 IPC, Police Station Tilak Nagar and the consequent proceedings emanating there from are quashed.

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

JULY 05, 2018
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SANJEEV SACHDEVA, J

