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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2780/2018**
MOHD. WASIM QURESHI & ANR Petitioner
Through **Ms.Amrit Kaur, Adv.**
versus
STATE (GNCT OF DELHI) & ANR Respondent
Through **Ms.Manjeet Arya, APP with SI**
Devender Rawat, PS Sadar Bazar.
Mr.Hifzur Rehman, Adv for R-2 alongwith R-2 in
person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 25.10.2018

1. Vide the present petition, the petitioners seek quashing of FIR No.137/2008 registered u/s 420/467/468/471/120B of the IPC at P.S. Sadar Bazar and all consequential proceedings emanating from the said FIR on the basis of the settlement, as recorded in the order dated 16.02.2018 of the learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.
2. Ms.Amrit Kaur, learned counsel for the petitioners submits that the petitioners are illiterate persons, who were themselves misled by a third party and had, therefore entered into a transaction with the respondent no.2 under the *bona fide* belief that their title documents based on which they had entered into further agreement with respondent no.2 were valid, but subsequently the documents turned out to be forged, for which they alone were not responsible. She further submits that the petitioners have now settled the matter with the respondent no.2 as recorded in the aforesaid order of the learned Metropolitan Magistrate and have also paid the entire amount to the respondent no.2. She, therefore, prays that the captioned FIR and all

consequential proceedings emanating therefrom be quashed.

3. The petitioners and respondent no.2 are present in Court and have been identified by the I.O. I have interacted with the respondent no.2, who states that he has entered into the settlement on his own volition and without any coercion. Respondent no.2 further submits that in view of the fact that he has received the entire agreed amount, he does not wish to prolong the proceedings any further, as he will also then have to appear in the criminal proceedings, which will cause him grave hardship and inconvenience.

4. I have considered the submissions of the parties and perused the records. Keeping in view the fact that the petitioners and the respondent no.2 are illiterate persons as also the fact that they have entered into a settlement agreement before the learned Metropolitan Magistrate, whereby the entire amount of the respondent no.2 stands restored, I am of the view that no useful purpose will be served in continuing with the criminal proceedings. In my opinion the end of justice demand that the captioned FIR and consequential criminal proceedings be quashed.

5. Accordingly, in the interest of justice, the petition is allowed and the captioned FIR and all consequential proceedings emanating therefrom, are quashed subject to the petitioners paying a sum of Rs.20,000/- to the Delhi High Court Advocates Welfare Trust within two week from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer, who will produce the same before the Trial Court.

6. The petition is disposed of in the above terms.

OCTOBER 25, 2018/sr

REKHA PALLI, J