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

+ **W.P.(CRL) 1867/2018**

JAVED ALAM & ANR

..... Petitioner

Represented by: Mr. M.K. Perwez, Advocate.

versus

STATE OF NCT DELHI & ANR

..... Respondent

Represented by: Mr. R.S. Kundu, ASC for Ms. Kamna
Vohra, ASC for the State with SI
Bablu, PS Khajuri Khas.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.12.2018

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By the present petition the petitioners seek quashing of FIR No. 588/2014 under Sections 420/467/468/471/34 IPC registered at PS Khajuri Khas, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2, the father of petitioner No. 1, is the only complainant/ victim.

On the last date of hearing respondent No. 2 had stated that he had distributed all his property between his two sons and now he was living with his wife at his native place at Distt. Khagaria, Bihar with little land. Having

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distributed the property to the petitioner No. 1 and his brother, the respondent No. 2 is left with no resources. When respondent No. 2 made the statement on the last date as a gesture the petitioner Nos. 1 and 2 sought time to make a demand draft in the name of respondent No. 2 for a sum of ₹3,00,000/-.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that petitioner No. 1 is his son and petitioner No. 2 the wife of the petitioner No. 1. Respondent No. 2 states that he has received the said amount of ₹3,00,000/- by the three Demand Draft Nos. 251663, 251730 and 251731 drawn on State Bank of India for a sum of ₹2,50,000/-, ₹41,000/- and ₹9,000/- respectively. He states that he has no claim whatsoever remaining against the petitioners. In terms of the settlement he does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake that no misbehaviour will taken place with the respondent No. 2 and they will take adequate care of respondent No. 2 and their mother.

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, rather the same would create further acrimony between them, 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.

Consequently, FIR No. 588/2014 under Sections 420/467/468/471/34 IPC registered at PS Khajuri Khas, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 19, 2018
‘yo’