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

% Judgment delivered on: 07.08.2018

+ CRL.M.C. 3949/2018

SUBHASH CHAND JAIN & ORS ..... Petitioners

versus

STATE & ANR

..... Respondents

**Advocates who appeared in this case:**

For the Petitioners : Mr. Rakesh Malviya with Mr. Gaurav Soni and Mr. Karanveer Choudhary, Advocates.

For the Respondent: Mr. Sanjeev Sabharwal, APP for State.  
SI Amit Kumar, PS Amar Colony.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**07.08.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

**Crl. M.A. 29429/2018 (Exemption)**

Exemption is allowed subject to all just exceptions.

**CRL. M.C. 3949/2018**

1. The petitioners seek quashing of FIR No. 328/2017 under Sections 420/406/34 IPC, Police Station Amar Colony, based on a settlement.

2. As per the allegations in the FIR, the petitioners as well as complainant have entered into a joint venture for running a chemist shop. Subsequently, as per the allegations in the FIR, the petitioners took a loan from the Indian Overseas Bank and made the complainant deposit his property papers as security for loan.

3. Learned counsel for the petitioners submits that the parties have settled their disputes. As per the settlement, the petitioners were to pay a total amount of Rs.55 lakhs to respondent No.2 in full and final settlement of all his claims. The said amount of Rs.55 lakhs have been paid to the respondent No.2. The same has been credited to the loan account directly on behalf of the respondent No.2.

4. The respondent No.2 is present in person and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioners and has received the said settlement amount of Rs.55 lakhs and the same has been credited directly to the loan account with Indian Overseas Bank. He further submits that he does not wish to press the complaint against the petitioners any further and has no objection in case the subject FIR is quashed.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, 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 therefrom.

6. In view of the above, the petition is allowed. FIR No. 328/2017 under Sections 420/406/34 IPC, Police Station Amar Colony and the consequent proceedings emanating there from are quashed.

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

**AUGUST 07, 2018**  
st

**SANJEEV SACHDEVA, J**

