

\$~33

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

+ W.P.(CRL) 2348/2018

RADHA AGARWAL & ANR

..... Petitioners

Represented by: Mr.Akhand Pratap Singh, Ms.Aditi Mittal, Mr.Arjun Raghuvanshi and Mr.Bahul Kalra, Advocates

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Jamal Akhtar, Advocate for Mr.Rahul Mehra, Standing Counsel for the State with SI Manish Yadav, PS Vasant Kunj North Mr.Alok Kumar, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **09.10.2018**

1. By this petition the petitioners seek quashing of FIR No.493/2017 under Section 420 IPC registered at PS Vasant Kunj (North) on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned proxy counsel for learned 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 is the only complainant/victim.
3. Respondent No.2 who is present in Court and is identified by the learned counsel and Investigating Officer states that he has settled the matter with the petitioners vide deed of settlement dated 17th May, 2018, copy whereof is annexed as Annexure-P-3 to the present petition. In terms of the

W.P.(CRL) 2348/2018

page 1 of 2

settlement respondent No.2 is to receive a total sum of ₹7.5 lakhs from the petitioners out of which he has already received ₹5 lakhs and the balance amount of ₹2.5 lakhs has been received by him today in Court through Demand Draft No.079287 drawn on Canara Bank. He further states that he has now no claim whatsoever remaining against the petitioners. In terms of the settlement he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. He undertakes to abide by the terms of the settlement arrived at between the parties.

4. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties.

5. 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, 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.

6. Consequently, FIR No.493/2017 under Sections 420 IPC registered at PS Vasant Kunj (North) and proceedings pursuant thereto are hereby quashed.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 09, 2018/mamta
W.P.(CRL) 2348/2018

page 2 of 2