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

% Judgment delivered on: 10.08.2018

+ CRL.M.C. 4040/2018

KRISHNA GUPTA & ANR Petitioners

versus

STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Vikas Arora with Ms. Radhika Arora, Advocates with petitioners in person.

For the Respondent: Mr. Kamal Kumar Ghai, APP for the State.
Mr. Gurcharan Singh, Advocate for R-2.
Mr. Hemant Gulati, Advocate for the complainant.
SI Lankesh, PS Preet Vihar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 29757/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL. M.C. 4040/2018

1. The petitioners seek quashing of FIR No.33/2018 under

Sections 420/120B IPC, Police Station Preet Vihar.

2. The subject FIR was registered consequent to a dispute which arose between the parties with regard to the sale of a property. The complainant had agreed to purchase the property of the petitioners, for which an advance of Rs.30 lakhs was paid. Subsequently, as disputes arose, the sale could not go through.

3. Learned counsel for the petitioners submits that the disputes between the parties have been settled. The parties have entered into a settlement before the Delhi Mediation Centre, Karkardooma Courts on 07.07.2018. As per the settlement, the petitioners have agreed to return the said amount of Rs.30,00,000/- in full and final settlement of all claims of the respondent No.2.

4. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and has received the said amount of Rs.30,00,000 and on receipt of the said amount of Rs.30,00,000/-, all her claims, title and interest with respect to the subject property have also extinguished and she has no claim surviving against the said property. She further submits that she 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 her 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.33/2018 under Sections 420/120B IPC, Police Station Preet Vihar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

AUGUST 10, 2018
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