

\$~3

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

%

Judgment delivered on:10.10.2018

+ CRL.M.C. 4564/2018

PARDEEP KUMAR & ORS

..... Petitioners

versus

STATE (GOVT OF NCT) & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Abhinav Tyagi with Mr. Chirag
Mudgal, Advocates.

For the Respondents : Mr. Kamal Kumar Ghai, APP for the
State.
SI Davender, PS Dabri.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.31668/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4564/2018

1. Petitioners seek quashing of FIR No.816/2016 under Sections
448 IPC, Police Station Dabri, South West.

2. Subject FIR was registered on the complaint of the respondents that petitioners had encroached upon their property. Learned counsel for the petitioners submits that the subject dispute had emanated as the petitioners were claiming to be the bonafide purchasers of the property and the respondents complainants claimed to be the owners of the property.

3. Parties have settled their disputes. MOU dated 14.05.2018 has been executed between the parties. Respondent Nos.2 and 4 had agreed to pay a total sum of Rs.2.5 crores to the petitioners. The entire amount of Rs.2.5 crores has been paid to the petitioners and the petitioners confirm that they have received the said amount and they have no right, title and interest left in the subject property.

4. Respondent Nos. 2 to 4 are present in person and identified by the Investigating Officer. They submit that they have settled their disputes with the petitioners and do not wish to press the complaint any further and have no objection to the quashing of the subject FIR.

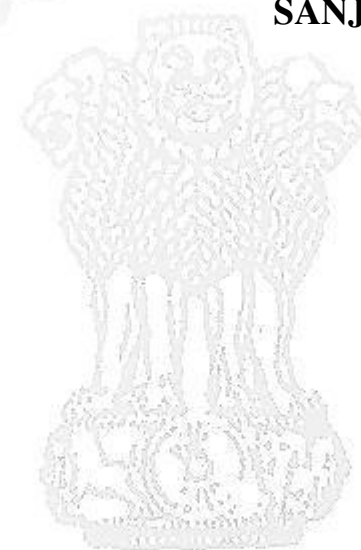
5. In view of the fact that the parties have resolved their disputes and respondent Nos. 2 to 4 do not wish to press their complaint, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is 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 there from.

6. In view of the above, the petition is allowed. FIR No.816/2016 under Sections 448 IPC, Police Station Dabri, South West and the consequent proceedings emanating there from are accordingly quashed.

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

OCTOBER 10, 2018
st

SANJEEV SACHDEVA, J



नित्यमेव जयते