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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2713/2018

ABHISHEK BUILDCON P. LTD. & ORS.

..... Petitioners

Through: Mr. Sanjay Kumar Sharma, Advocate with
Petitioners in person.

Versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Ms. Kamna Vohra, ASC with SI Sandeep,
Crime Branch, R.K. Puram.
Mr. N. K. Aggarwal, Advocate with
Respondents No. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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30.10.2018

This petition seeks quashing of FIR No. 0416/2015 dated 31.12.2015 registered under sections 406/454/380 IPC at Police Station Mandir Marg, New Delhi, on the basis of a Settlement dated 01.06.2018 courtesy the Delhi High Court Mediation and Conciliation Centre, New Delhi. The Sale Deed has been executed by the petitioners in favour of M/s Filberts Hospitality Pvt. Ltd. to the benefits of the nominees of the said entity. The nominees are respondents No. 2 and 3 i.e. widow and daughter of the deceased complainant.

The learned counsel for the petitioners submits that the aforesaid Settlement was for possession of the property on 'As is where is basis' and that the respondents No. 2 and 3 were duly aware of the fact that the part of

the property was occupied by a School and that the petitioners have a Decree in their favour and the property was to be vacated in due course.

The learned counsel for respondents No. 2 and 3 submits that the said respondents were assured by the petitioners that the property would be vacated in 10 days or so, hence, the aforesaid Settlement was entered into.

The learned counsel for the petitioners states upon instructions that in case the Settlement is not acceptable to respondents No. 2 and 3 on the terms which have already been complied with, then he would seek to rescind the Sale Deed and seek possession of the property from the said respondents. Accordingly, he seeks to withdraw the petition.

In view of the above, the petition is dismissed as withdrawn.

NAJMI WAZIRI, J.

OCTOBER 30, 2018

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