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

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Judgment delivered on: 04.10.2018

+ CRL.M.C. 4410/2018

SMT. BHAWANA GOEL & ANR.

..... Petitioners

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Piyush Gupta with Mr. Apoorv
Bansal, Advocates

For the Respondents:

Ms. Neelam Sharma, APP for State
Mr. Jitin Kumar, Advocate for R-2
Along with R-2, present in person.
SI Sudhir, PS: Kesham Puram

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No. 442/2012 under Section 420 IPC Police Station, Keshav Puram, based on a settlement.
2. Allegations in the FIR are that the father of the respondent had

advanced the loan to the petitioners and after his death, petitioners had refused to refund the same.

3. Learned counsel for the petitioners submit that the loan was secured against deposit of title deeds and when part of the amount was refunded, title deeds were handed over back to the petitioners.

4. It is submitted that there was a dispute with regard to the balance outstanding. Subsequently, parties have settled their dispute and it has been agreed that the total outstanding balance was Rs. 14 lacs. Said amount of Rs. 14 lacs has been re-paid to respondent no.2.

5. Respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. He submits that he has settled the disputes with the petitioners, received the balance outstanding amount of Rs. 14 lacs and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. Parties further submits that all the disputes between the parties have been fully and finally settled and the original title deeds as well as the original cheques issued by the petitioners have been returned to the petitioners

7. 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.

8. In view of the above, the petition is allowed FIR No. 442/2012 under Section 420 IPC Police Station, Keshav Puram and the consequent proceedings arising therefrom are, accordingly, quashed.

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

OCTOBER 04, 2018
'prem'

SANJEEV SACHDEVA, J

