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

% *Date of Order: 15.11.2018*

+ **CM (M) No.1087/2018**

VASANT RAJ PANDIT Petitioner
Through: Mr.Jagdev Singh and
Mr.Sachin Saini, Advocates.

versus

RAHUL JAIN Respondent
Through: Mr.Arun Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

1. Settlement agreement dated 13.11.2018 has been received from the Delhi High Court Mediation and Conciliation Centre by which the matter has been amicably resolved and settled between the parties. It is worth mentioning that while considering the bail application No.689/2005 in a case registered against the petitioner vide FIR No. 57/2005 under Section 406/420 IPC at Police Station Sarojini Nagar, on 15.04.2015, this Court has directed the petitioner to deposit Rs.30 lacs within four weeks with the Registry of this Court, without prejudice to the rights and contentions of the parties. This amount is stated to be lying deposited with the Registry of the Court.

2. The respondent filed a Civil Suit bearing No.623/2005 (new No.31 of 2016) for recovery of Rs.42,59,309/- against the petitioner on account of his commission charges. Both the learned counsel submit that maturity of the amount deposited in the FDR by the petitioner is approx. Rs.82 lacs.
3. On 19.07.2018 in the said criminal case registered against the petitioner, seven victims appeared before the learned CMM, South, Saket Courts, New Delhi and the offence was compounded with them. The other four victims appeared on 10.8.2018 before Ld. CMM and the offence in relation to them was compounded by the petitioner. The total amount, thus, settled with the 11 victims is Rs.10,20,000/- which is also reflected on page 2 of the settlement agreement.
4. It is agreed between the petitioner and the respondent that a sum of Rs.33 lacs shall be payable by the petitioner to the respondent in full and final settlement of all claims of the respondent/plaintiff.
5. In that circumstances, the amount of Rs. 33 lacs as settled between the petitioner and the respondent may be released to the respondent, by the Registry.
6. In view of the settlement, the petition stands disposed of. The civil suit filed by the plaintiff also stands disposed of accordingly. The respondent/plaintiff shall withdraw his criminal complaint as per the mediation settlement.

7. At this stage, learned counsel for the petitioner requests that rest of the amount be released to him. For this purpose, the petitioner may move necessary application before the concerned CMM.
8. *Dasti* under the signature of Court Master.

VINOD GOEL, J.

NOVEMBER 15, 2018

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