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

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Judgment delivered on: 08.10.2018

+ CRL.M.C. 4920/2018

RAJESH GUPTA & ORS.

..... Petitioners

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondents

+ CRL.M.C. 5009/2018

S N GUPTA & ORS.

..... Petitioners

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Rishi Sood, Adv. (Crl. M.C. 4920/2018)

Mr. Govind Rishi, Adv. (Crl. M.C. 5009/2018)

For the Respondents:

Mr. Sanjeev Sabharwal, APP for the State with

Inspr. Gurmail Singh and SI Rajvir Singh

Mr. Rishi Sood, Adv. for R-2 with respondent no. 2

in person (Crl. M.C. 4920/2018)

Mr. Govind Rishi, Adv. for R-2 with R-2 in person (Crl. M.C. 5009/2018)

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

08.10.2018

SANJEEV SACHDEVA, J. (ORAL)

CRL.M.C. 4920/2018 & CRL.M.C. 5009/2018

1. Petitioners, in Crl. M.C. 4920/2018 seek quashing of FIR No. 59 of 2017 under Sections 406/409/420/467/468/471/120-B of the IPC registered at Police Station E.O.W. Mandir Marg, and petitioners, in Crl. M.C. 5009/2018 seek

quashing of FIR No.159 of 2016 under Sections 406/418/506/120-B of the IPC registered at Police Station E.O.W. Mandir Marg, New Delhi based on a settlement.

2. Subject FIRs are cross FIRs between two groups of the same family. The parties are related to each other. The disputes emanated out of the distribution of the assets of the family.

3. The allegations against the petitioners are that they had forged and fabricated the transfer deeds of the properties of the families.

4. Learned counsels for the parties submit that parties have settled their disputes with the intervention of other family members and Settlement/Memorandum of Understanding dated 18.07.2018 has been executed between the parties. Learned counsel for the parties submit that all the disputes between the parties which are subject matter of the present FIRs as also the other civil disputes have fully and finally settled.

5. Learned counsel for the parties further submit that the parties are in the process of distribution of assets as per their value amongst the family members. They further submit that the distribution of assets has been agreed to, however, certain modalities are to be worked out and the parties are willing to compound the respective FIRs against each other.

6. Accused/petitioners as well as complainants of both the FIRs are present in Court in person. They submit that they have settled the disputes against each other. Complainants i.e. R-2 in both the FIRs are present in person, represented by their counsel and identified by the respective Investigating Officers. They submit that they have settled the disputes with the petitioners and do not wish to press charges against each other and prosecute the complaints any further.

7. In view of the fact that the parties have resolved their disputes and the complainants in both the FIRs do not wish to press their complaints, 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 petitions are allowed. FIR No. 59 of 2017 under Sections 406/409/420/467/468/471/120-B of the IPC registered at Police Station E.O.W. Mandir Marg and FIR No.159 of 2016 under Sections 406/418/506/120-B of the IPC registered at Police Station E.O.W. Mandir Marg, New Delhi and the consequent proceedings arising therefrom are, accordingly, quashed.

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

OCTOBER 08, 2018
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SANJEEV SACHDEVA, J