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

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Judgment delivered on:24.09.2018

+ CRL.M.C. 4882/2018
JASMEET SINGH & ORS. Petitioners

versus

STATE & ORS. Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Dhruva Bhagat, Advocate with petitioners in person.

For the Respondents : Mr. Kamal Kumar Ghai, APP for the State.
Mr. Gaurav Sharma, Advocate for respondents with respondents with person.
SI Neeraj, PS Timarpur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

24.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.32806/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4882/2018

1. Petitioners seek quashing of FIR No.753/2014 under Sections 452/323/506/354/354B/34 IPC, Police Station Timarpur.
2. Subject FIR emanates out of a transaction with regard to the

sale of a property. Initially, there was a dispute with regard to the sale transaction, consequent to which, the subject FIR was registered. Subsequently, the parties have settled their disputes and the sale transaction has been completed.

3. Learned counsel for the parties submit that the parties have settled their disputes. Parties have entered into an MOU dated 01.09.2018. The petitioners have agreed to pay a total sum of Rs.2,05,000/- to the complainants. Out of the said sum, a sum of Rs.50,000/- was paid at the time of signing of the Memorandum of Understanding dated 01.09.2018. The balance amount of Rs.1,55,000/- has been paid by way of Demand Draft No.422746 dated 20.09.2018 drawn on Punjab & Sind Bank.

4. There was also a cross-FIR being FIR No.155/2015 under Sections 451/323/354/354B/506/34 IPC which was registered on the complaint of the petitioner against the respondents herein. It is informed that a cancellation report has been filed in the subject FIR and the petitioner has filed a protest petition qua the same.

5. The petitioners, who are present in Court in person, undertake that they shall not oppose the cancellation report and they shall withdraw the protest petition. The undertaking is accepted.

6. The respondent Nos.2 & 3 are present in person, represented by counsel and are identified by the Investigating Officer. They submit

that they have settled their disputes with the petitioners and do not wish to press charges against the petitioners and prosecute the complaint any further.

7. In view of the fact that the parties have resolved their disputes and respondent Nos. 2 and 3 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.

8. In view of the above, the petition is allowed. FIR No.753/2014 under Sections 452/323/506/354/354B/34 IPC, Police Station Timarpur and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 24, 2018
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SANJEEV SACHDEVA, J