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

+ **W.P.(CRL) 2999/2018**

**ANUJ AGGARWAL**

..... Petitioner

Represented by: Mr. Tushar Dua, Advocate with  
petitioner in person.

versus

**STATE & ANR**

..... Respondents

Represented by: Mr. R.S. Kundu, Additional Standing  
Counsel for State with SI Naveen  
Kumar, PS Rani Bagh.  
Mr. Mayank Bansal, Advocate for  
respondent No.2 with respondent  
No.2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**01.10.2018**

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**Crl. M.A. No. 33359/2018 (Exemption)**

Allowed, subject to all just exceptions.

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By the present petition, petitioner seeks quashing of FIR No. 397/2011 under Sections 420/506 IPC registered at PS Rani Bagh, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned Additional Standing Counsel for the State and learned counsel for respondent No.2 accept notice.

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Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and the respondent No. 2 the complainant/victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioner vide Memorandum of Understanding dated 28<sup>th</sup> February, 2018, copy of which is annexed as Annexure-E to the present petition and he is entitled to receive a sum of ₹15 lakhs in the form of FDR and along with the interest thereon which is lying deposited with the learned ACMM, Rohini Courts. He states that in view of this FDR having been deposited with the learned ACMM, he has no claim and he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of the settlement arrived at between the parties. He further states that he has no objection if the FDR deposited with the learned ACMM, being released to the respondent No.2 and also the interest that has accrued thereon.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 397/2011 under Sections 420/506 IPC registered at PS Rani Bagh, Delhi and proceedings pursuant thereto are hereby quashed.

Learned ACMM, Rohini Court is directed to release the FDR for a sum of ₹15 lakhs deposited by the petitioner in favour of the respondent No.2 who would also be entitled to the interest thereof.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**OCTOBER 01, 2018**

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