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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. 4845/2018

RUPANTAR BARUA

..... Petitioner

versus

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

Advocates who appeared in this case:

For the Petitioner : Mr. Rajesh Jangra, Advocate.

For the Respondent: Mr. Panna Lal Sharma, APP for the State.
SI Amit Dutt, PS Lajpat Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

24.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No.706/2016 under Sections 354/506/509 IPC, Police Station Lajpat Nagar.
2. The allegations in the FIR are that there was a loan transaction between HDB Finance Company and the complainant and her husband and petitioner who is an employee of HDB Finance Company and had gone to the house of the complainant for the purpose of recovery of the instalment.
3. It is alleged that at that time an altercation took place and petitioner is alleged to have misbehaved with the complainant. Subsequently, parties have settled their disputes and Memorandum of Understanding dated 29.08.2018 has been executed. As per the settlement, the complainant has

handed over a sum of Rs.2,50,000/- in full and final settlement of the entire loan transaction vide Cheque No.000046 dated 24.09.2018 drawn on Bank of Baroda, Vimhans, New Delhi in Court today and has also agreed to the quashing of the subject FIR.

4. The respondent No.2 is present in Court in person and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR. She undertakes that the cheque shall be honoured on its presentation. The undertaking is accepted.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her 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.

6. In view of the above, the petition is allowed. FIR No.706/2016 under Sections 354/506/509 IPC, Police Station Lajpat Nagar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

SEPTEMBER 24, 2018/rk