

\$~18

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

+ **W.P.(CRL) 2169/2017 & CrI.M.A. 12210/2017**

SAHIL GUPTA

..... Petitioner

Represented by: Mr. Vikrant Pachnanda, Adv.
with petitioner in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC for
Ms. Nandita Rao, ASC for
State with SI Pawan, PS EOW.
Mr. Shashank Manish, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.01.2018

%

By the present petition the petitioner seek quashing of FIR No. 155/2013 under Sections 406/420 IPC registered at PS Model Town, Delhi subsequently investigated by EOW on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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

W.P.(CRL) 2169/2017

page 1 of 3

investigation name of one Hari Om Bhatia also surfaced, however no evidence could be collected to substantiate allegations against Hari Om Bhatia. Thus the petitioner is the only accused in the above-noted FIR.

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 Assignment Agreement dated 14th October, 2016 copy whereof is annexed as Annexure P-2 to the present petition. He states that in terms of the Assignment Agreement the matter having been settled, he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. He further undertakes to 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 settlement arrived at between the parties vide Assignment Agreement dated 14th October, 2016.

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, rather the same would create further acrimony between them, 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. 155/2013 under Sections 406/420 IPC registered at PS Model Town, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 04, 2018
'ga'