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

+ **CRL.M.C. 3329/2017**

VIKAS CHANANA

..... Petitioner

Through: Mr. Jinendra Jain and Mr. Pranay
Jain, Advs.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Dr. M.P. Singh, APP for State with SI
Amit Dutt, P.S. Lajpat Nagar.
Mr. Kuldeep Kumar, Adv. for R-2 &
R-3.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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17.12.2018

By this petition under Section 482 Cr.P.C., petitioner has prayed for quashing of FIR No. 761/2015 under Sections 420/34 IPC registered at police station Lajpat Nagar in view of the compromise having been arrived at between him and respondent nos. 2 and 3 (complainants) vide Memorandum of Understanding dated 05.12.2015. The said MOU is not in dispute. It is also not in dispute that ₹21.60 lacs has been paid by the petitioner to the respondent nos. 2 and 3, in terms of the compromise.

Respondent nos. 2 and 3 are present in Court along with their counsel and have been identified by SI Amit Dutt of police station Lajpat Nagar. They submit that they have settled the matter with petitioner of their own free will and without any undue force, pressure or coercion. They further

submit that they have no objection in case aforesaid FIR and the consequent proceedings are quashed qua the petitioner only.

Learned APP, on the instructions of Investigating Officer, submits that there is another accused, namely, Pankaj Chanana.

Learned counsel for the petitioner submits that in the present petition no prayer has been made for quashing of FIR against accused-Pankaj Chanana.

Learned counsel for the respondent nos. 2 and 3 submits that Bharat Bhushan is also complainant in the present FIR. He further submits that settlement has been arrived at only between petitioner and respondent nos. 2 and 3.

Learned APP, on instructions, further submits that there is no complaint against petitioner-Vikas Chanana made by Bharat Bhushan in this FIR. It is further submitted that present FIR is only with regard to complaint of respondent nos. 2 and 3, namely, Sohan Arora and Raj Kumar wherein Bharat Bhushan is only a witness.

Keeping in mind the settlement arrived at between the petitioner and respondent nos.2 and 3 voluntarily, in my view, no fruitful purpose would be served in continuance of present criminal proceedings against the petitioner.

Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed qua the petitioner only.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

DECEMBER 17, 2018

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