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

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Judgment delivered on:08.10.2018

+ CRL.M.C. 5127/2018

SHANNO DEVI & ANR.

..... Petitioners

versus

THE STATE & ANR

..... Respondents

**Advocates who appeared in this case:**

For the Petitioners : Mr. Dinesh Kumar and Mr. Surinder  
Kumar, Advocates along with petitioners in person

For the Respondents : Mr. Hirien Sharma, APP for State with  
SI Ved Pal Sharma, PS Mangol Puri  
Ms. Madhvi Gautam and Mr. Nitesh Khatri, Advs.  
for R-2 along with R-2 in person

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**08.10.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

**Crl.M.A.33742/2018 (exemption)**

Exemption is allowed subject to all just exceptions.

**CRL.M.C. 5127/2018**

1. The petitioners seek quashing of FIR No. 366/2017, under Sections 420A/34 IPC, Police Station Burari, based on a settlement.

2. Subject FIR emanates out of a dispute with regard to sale

transaction of a property. Petitioners had agreed to sell a property to the complainant and complainant had paid sale consideration of Rs. 14 lakhs. Subsequent there was allegation that there was defective title of the petitioner and subject FIR was registered.

3. Parties have subsequently settled their dispute and settlement agreement dated 15.02.2018 has been executed.

4. Parties have settled their dispute and petitioners have agreed to pay a total sum of Rs. 15,25,000/- ( Rupees Fifteen Lakhs and Fifteen Thousand Only) in full and final settlement of all claims to the respondent. A sum of Rs. 10 lakhs has already been paid. Balance amount of Rs. 5,25,000/- has been paid by way of the following demand drafts:

1. *DD No. 926376 dated 26.09.2018 drawn on Union Bank of India for Rs. 2 lakh;*
2. *DD No. 926377 dated 26.09.2018 drawn on Union Bank of India for Rs. 2 lakh;*
3. *DD No. 926378 dated 26.09.2018 drawn on Union Bank of India for Rs. 1 lakh and Rs. 25000/-.*

5. Respondent no. 2 is present in court in person, represented by counsel and identified by Investigating Officer. She submits that she has settled her dispute with the petitioners and does not wish to prosecute the complaint any further against the petitioners and has no objection to the quashing of the subject

FIR.

6. 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.

7. In view of the above, the petition is allowed. FIR No. 366/2017, under Sections 420A/34 IPC, Police Station Burari, and the consequent proceedings emanating there from are accordingly quashed.

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

**OCTOBER 08, 2018**  
**NR**

**SANJEEV SACHDEVA, J**