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

+ W.P.(CRL) 3372/2018

LIBRA HYUNDAI

..... Petitioner

Represented by: Mr. Prashant Diwan, Advocate.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Jamal Akhtar, Advocate for Mr.
Rahul Mehra, Standing Counsel for
the State.
Mr. Brajesh Dwivedi, Advocate for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.11.2018

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1. By this petition, the petitioners seek quashing of FIR No.125/2018 under Section 420 IPC registered at PS Naraina on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned proxy counsel for learned Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner company is an accused and the respondent No.2 is the only complainant/victim. He states that the above noted FIR was registered when dispute arose between the parties in regard to a permit not being issued to the respondent No. 2.

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3. Respondent No.2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that he has settled the matter with the petitioner company vide the compromise deed dated 18th October, 2018 copy whereof is annexed at pages 24 to 27 of the paper book. In terms of settlement respondent No. 2 states that besides retaining the car, he has also received a sum of ₹1,40,000/- vide Demand Draft No. 508601 drawn on ICICI Bank dated 1st October, 2018 and two cheques bearing No. 000019 and 000005 dated 1st November, 2018 drawn on HDFC Bank as a compensation from the petitioner. He does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. He further undertakes to abide by the terms of settlement arrived at between the parties.

4. Petitioner being a company is represented through its authorised Power of Attorney, Mr. Binaya Bhusan Maharaj, authorisation in whose favour is annexed as Annexure P-1 to the present petition. Mr. Binaya Bhusan Maharaj affirms the statement of respondent No. 2 and undertakes that the petitioner would abide by the terms of settlement arrived at between the parties.

5. 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.

6. Consequently, FIR No.125/2018 under Section 420 IPC registered at PS Naraina and proceedings pursuant thereto are hereby quashed.
7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.
8. Petition is disposed of.
9. Order dasti.

NOVEMBER 01, 2018
‘yo’

MUKTA GUPTA, J.