

\$~38

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

+ **W.P.(CRL) 3454/2018**

M/S ADEL LANDMARKS LTD & ORS Petitioners
Represented by: **Mr.Kapil Sankhla and Ms.Apporva Kumar, Advocates**

versus

STATE (NCT OF DELHI) & ORS Respondents
Represented by: **Mr.Rahul Mehra, Standing Counsel with Mr.Chaitanya Gosain, Advocate and SI Sushil, PS Rajinder Nagar Mr.Sunil Kumar Jha, Advocate for R-2 and R-3**

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
17.12.2018

%

1. No steps have been taken for service of respondent Nos.2 and 3 however respondent Nos.2 and 3 enter appearance along with their counsel.
 - 2.. By this petition, the petitioners seek quashing of FIR No.354/2015 under Sections 420/406/34 IPC registered at PS Rajinder Nagar, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
 3. Learned Standing Counsel for the State on instructions submits that in the above noted FIR despite the fact that four persons were named however during course of investigation names of petitioners Nos.1, 2, 3 & 4 petitioner No.1 being the company and petitioner Nos. 2, 3 & 4 its directors only
- W.P.(CRL) 3454/2018** *page 1 of 3*

surfaced. Arvind Kumar Birla was not found involved. Hence the three petitioners and the first petitioner being the company are the accused and respondent Nos.2 and 3 are the complainant/victim.

4. Respondent Nos.2 and 3 who are present in Court and are identified by the learned counsel state that they have settled the matter with the petitioners vide settlement deed dated 1st December, 2017. In lieu of the amount due to the tune of ₹15,60,179/- petitioners have paid to them ₹23,50,000/- in full and final settlement of their claims. They further state that they have no claim whatsoever remaining against the petitioners. In terms of the settlement they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

5. Authorized representative of the petitioners who is present in Court and is identified by the learned counsel affirms the statement of respondent Nos.2 and 3 and undertakes to abide by the terms of settlement arrived at between the parties.

6. 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, 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.

7. Consequently, FIR No.354/2015 under Sections 420/406/34 IPC registered at PS Rajinder Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

8. Authorized representative of the petitioners and respondent Nos.2 and 3 have signed this order sheet in acknowledgment of their statements made before this Court.
9. Petition is disposed of. Order dasti.

DECEMBER 17, 2018
mamta

MUKTA GUPTA, J.