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

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Judgment delivered on: 01.10.2018

+ CRL.M.C. 1780/2018

NAVEEN KUMAR & ANR

..... Petitioners

versus

THE STATE OF DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners:

Mr. Pritam Kumar with Mr. Rajesh
Pandey, Advocates

For the Respondents:

Ms. Neelam Sharma, APP for the State.
SI Manish, PS Palam Village.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
01.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.6386/2018 (for condonation of delay in re-filing)

For the reasons stated in the application, the application is allowed. The delay of 188 days in re-filing the petition is condoned.

CRL.M.C. 1780/2018

1. Petitioners seek quashing of FIR No.140/2015 under Sections 463/465/415/417/420/34 IPC, Police Station Palam Village.

2. The allegations against the petitioners are that the petitioners had taken money for securing admission in B.Ed. course in M.D. University.

3. Parties were referred to mediation before the Trial Court. Petitioners have settled with the complainant as well as the other aggrieved 11 persons. Total amount of Rs.4,43,500/- was agreed to be repaid. Petitioners have placed on record statements given by all the complainants before the Trial Court confirming the mediation settlement dated 02.07.2015 and receipt of their money.

4. The Investigating Officer, who is present in Court, confirms that money has been refunded to all the 12 complainants including the first informant. He confirms that there are no other complaints on record.

5. The first informant was present in Court on 09.05.2018 and confirmed receipt of the settlement amount and had also confirmed that she had no objection to the quashing of the subject FIR. In view of the said statement, she was granted exemption from further appearance.

6. Since, petitioners have settled their disputes with the first informant as well as other 11 complainants and repaid their amounts and all the complainants had appeared before the Sessions Court, confirmed the settlement agreement and received their money, I am of the view that interest of justice requires that the said FIR be quashed,

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 there from.

7. In view of the above, the petition is allowed. FIR No.140/2015 under Sections 463/465/415/417/420/34 IPC, Police Station Palam Village and the consequent proceedings arising therefrom are, accordingly, quashed.

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

OCTOBER 01, 2018
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SANJEEV SACHDEVA, J