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

+ **W.P.(CRL) 3599/2017**

SURESH BHARGAVA & ANR

..... Petitioners

Represented by: **Mr. Sanjay Bhargava, Adv**

versus

STATE (NCT) OF DELHI & ORS

..... Respondents

Represented by: **Mr. Avi Singh, APP for State
with Ms. Purnima Malik, Adv
SI Usman, PS Daryaganj
Respondent no.3 in person**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.09.2018

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By the present petition the petitioners seek quashing of FIR No.226/2014 under Sections 420/471 IPC registered at PS Darya Ganj, Delhi on the complaint of Respondent No.3 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel appearing for the Addl. Standing Counsel for the State, on instructions, submits that in the above noted FIR, two petitioners are the only accused and the respondent No.3 is the only victims.

Respondent No. 3 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the Petitioners vide a Compromise Deed dated 7th July, 2017 copy whereof is annexed as Annexure 'P-3' to the present petition. In terms of the settlement arrived at

between the petitioners and respondent no.3, respondent no.3 states that he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner no.1 is present in Court and is identified by the learned counsel. Petitioner no.2 is stated to be a resident of USA and has executed a Special Power of Attorney (SPA) in favour of petitioner no.1, who is his brother-in-law. Copy of SPA is annexed at pages 18 to 20 of the paper book. Petitioner no.1 on his behalf and on behalf of petitioner no.2, affirms the statement of respondent No.3 and undertakes to abide by the terms of settlement arrived at between the parties vide Compromise Deed dated 7th July, 2017.

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. Consequently, FIR No. No.226/2014 under Sections 420/471 IPC registered at PS Darya Ganj, Delhi and proceedings pursuant thereto are hereby quashed, subject to costs of ₹10,000/- to be paid by petitioner nos.1 and 2 collectively to the Chief Minister's Distress Relief Fund, Kerala within two weeks, receipt whereof will be placed on record.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 18, 2018

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