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

+ **W.P.(CRL) 5/2018**

ASHOK TIWARI & ORS.

..... Petitioners

Represented by: Mr.Aman Mishra, Mr.Devender
Agarwal and Ms.Pranita Shekhar,
Advocates

versus

STATE & ANR.

..... Respondents

Represented by: Ms.Hemlata Rawat, Advocate for
Mr.Sanjay Lao, ASC for the State
with and SI Ashok Kumar, PS Amar
Colony

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.08.2018

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1. Cost imposed vide order dated 18th April, 2018 has been paid to respondent No.2 today.
2. By this petition, the petitioners seek quashing of FIR No.262/2016 under Sections 406/420 IPC registered at PS Amar Colony on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
3. Learned proxy counsel for the learned Additional Standing Counsel for the State submits that in the abovenoted FIR two petitioners are the accused and respondent No.2 is the only complainant/victim.
4. Respondent No.2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners

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on 1st November, 2017 in Bail App.No.383/2017. In terms of the settlement, petitioners have to pay a total sum of ₹40 lakhs to the respondent No.2 which he has already received. He further states that he has no claim whatsoever remaining against the petitioners. In terms of the settlement he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and undertakes to abide by the terms of settlement.

5. Though petitioner No.1 is not present in Court however petitioner No.2 is present in Court and is identified by the learned counsel. He affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement.

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.262/2016 under Sections 406/420 IPC registered at PS Amar Colony and proceedings pursuant thereto are hereby quashed qua petitioner No.2.

8. Petitioner No.2 and respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 08, 2018

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