

\$~6

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

+ CRL.M.C. 176/2018

TILAK RAJ SHARMA

..... Petitioner

Through
versus

Mr. Inderjit Singh, Advocate.

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through

Mr. Mukesh Kumar, APP for State.
SI Bishambar Dayal, PS Connaught
Place.

Ms. Kamni Arora, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

05.02.2018

1. The petitioner, by this petition, seeks quashing of FIR No.389/2002 under Section 448/380/34 IPC, Police Station Connaught Place, lodged by respondent No.2.
2. The relation between the parties is that of landlord and tenant.
3. The parties have entered into a settlement agreement dated 27.11.2017 through the process of mediation held at the Delhi Mediation Centre, Patiala House Courts, New Delhi and consequent to the settlement, all disputes between the parties have been resolved.
4. The petitioner has agreed to pay a sum of Rs.7,00,000/- to the respondent No.2. A sum of Rs.2,75,000/- has already been paid to the respondent No.2. The petitioner, who is present in person, undertakes that the balance payment, as mentioned in the settlement agreement dated

27.11.2017, shall be paid as per the schedule. The undertaking is accepted.

5. The respondent No.2, who is present in person, represented by the Counsel and identified by the Investigating Officer, submits that he has settled the disputes with the petitioner and does not wish to prosecute the present complaint.

6. In view of the fact that the disputes between the parties emanate out of a discord between the landlord and the tenant and the parties have since settled their disputes and the respondent No.2/complainant does not wish to prosecute the complaint, in my view, no fruitful purpose would be served in continuing with the criminal proceedings as there is a very slim chance of conviction in the present case and it would also be expedient and in the interest of justice, that the subject FIR and the proceedings arising there from are quashed.

7. In view of the above, FIR No.389/2002 under Section 448/380/34 IPC, Police Station Connaught Place and the consequent proceedings emanating there from are quashed, subject to the petitioners depositing cost of Rs.15,000/- with the "*Prisoners Welfare Fund, Jail No. 13, Mandoli*", Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi within two weeks. The receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today

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

SANJEEV SACHDEVA, J

FEBRUARY 05, 2018/st