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

+ **W.P.(CRL) 3947/2018**

ZIAUDDIN KHAN & ANR.

..... Petitioner

Represented by: Mr. M.A. Rahman, Advocate.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with Ms.
Jyoti Babbar, Advocate with SI Sunil
Kumar, PS Crime Branch.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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21.12.2018

CrI.M.A. No. 50605/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 123/2018 under Sections 420/120B IPC registered at PS Crime Branch, Delhi on the complaint of Respondent No.4 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the States that in the FIR besides the two petitioners other persons were also mentioned, however, during the course of investigation role of the two petitioners as accused only surfaced and the respondent No.4 is the only complainant/ victim.

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Respondent No. 4 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners vide the settlement deed dated 5th December, 2018, copy whereof is annexed as Annexure-P2 to the present petition. In view of the settlement respondent No. 4 has now no claim whatsoever remaining against the petitioners and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. He undertakes to abide by the terms of settlement arrived at between the parties.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.4 and undertake to abide by the terms of settlement arrived at between the parties. To show remorse they undertake to deposit cost.

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. 123/2018 under Sections 420/120B IPC registered at PS Crime Branch, Delhi and proceedings pursuant thereto are hereby quashed subject to each of the petitioners depositing a sum of ₹5,000/- with the Delhi High Court Staff Welfare Fund within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 21, 2018

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