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

+ W.P.(CRL) 3815/2018

MOHD. MOBIN

..... Petitioner

Represented by: Mr.S.N.Khan, Advocate

versus

STATE & ANR.

..... Respondents

Represented by: Ms.Kamna Vohra, ASC for the State
with SI Sonu, PS Ghazipur

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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17.12.2018

1. By this petition, the petitioner seeks quashing of FIR No.119/2018 under Sections 420/406/34 IPC registered at PS Ghazipur on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner is the only accused and the respondent No.2 is the only complainant/victim.
3. Respondent No.2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioner vide memorandum of understanding dated 1st October, 2018 copy whereof is annexed as Annexure-B to the present petition. In terms of the settlement, petitioner has paid to the respondent No.2 a total sum of ₹18,50,000/- in lieu

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of all the claims of the respondent No.2. He states that he has no claim whatsoever remaining against the petitioner. In terms of the settlement he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

4. Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties and to show remorse he also undertakes to deposit cost.

5. 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.

6. Consequently, FIR No.119/2018 under Sections 420/406/34 IPC registered at PS Ghazipur and proceedings pursuant thereto are hereby quashed subject to cost of ₹10,000/- to be deposited by the petitioner with the Delhi High Court Staff Welfare Fund within four weeks.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 17, 2018

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