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

+ CRL.M.C. 483/2018 & CrI.M.A.1802/2018

M/S GOLDMAX TRADE N BIZ PVT.LTD

& ANR

..... Petitioners

Through Mr. Aruni Poddar, Adv. with
the petitioner No.2 in person

versus

THE STATE OF NCT OF DELHI & ANR Respondents

Through Mr.Amit Chadha, APP with SI
Krishan Kumar, PS Malviya
Nagar, Delhi
Mr. Rachit Batra, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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03.09.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.477/2017 dated 23.12.2017, under Sections 420/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Malviya Nagar, South District, New Delhi and the proceedings emanating therefrom.
2. Authorisation in favour of the respondent No.2 by the partnership firm along with the Company Master Data filed on record.
3. The petitioners and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion vide

joint representation on 29.12.2017. Petitioner No.2 as well as respondent No.2 also submitted that the matter stands settled between the parties and nothing remains due between the parties in terms of the settlement.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter stands settled, she has no objection on her behalf as well as on behalf of partnership firm M/s Easyliving Brands India LLP to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that in view of the no objection from the respondent No.2, the present petition may be allowed and the FIR may be quashed.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner No.2 as well as respondent No.2 and has also verified the settlement arrived at between the parties.

7. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.50,000/- for some social beneficial cause in any trust or association.

8. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.477/2017 dated 23.12.2017, under Sections 420/406 of the IPC, registered at P.S.: Malviya Nagar, South District, New Delhi and the proceedings emanating therefrom are quashed subject to cost of

Rs.50,000/- to be paid by the petitioners within 14 days, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.10,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.10,000/- in the Prime Minister's National Relief Fund (PMNRF) and Rs.10,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

9. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

SEPTEMBER 03, 2019/rk