

\$~45

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

+ **W.P.(CRL) 684/2018**

RAJU SAWANT & ORS

..... Petitioner

Represented by: Mr. Sunil Kumar, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondent

Represented by: Mr. Tanuj Bhadana, proxy counsel for
Mr. Avi Singh, ASC for the State
with SI Ajeet Kumar, PS Sangam
Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2019

%

By the present petition the petitioners seek quashing of FIR No. 110/2010 under Sections 468/406/471/120B/34 IPC registered at PS Sangam Vihar, Delhi on the complaint of late Kameshwar Singh and the proceedings pursuant thereto on the ground that a settlement has been arrived at between the petitioners and the legal heirs of late Kameshwar Singh.

Learned proxy counsel for learned ASC for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners are the accused and late Kameshwar Singh was the only complainant/victim who had been cheated apparently for an escalated price taken for his auto rickshaw and is now survived by his wife Smt. Ranju Devi, Smt. Nagina Devi, mother of deceased and two minor children,

W.P.(CRL) 684/2018

page 1 of 3

namely, Neha and Sumit who all have been impleaded as parties as respondent Nos. 2 to 5.

Smt. Ranju Devi wife of the deceased on her behalf and as Power of Attorney hold of Smt. Nagina Devi which Power of Attorney has been placed on record on the last date of hearing and also the natural guardian of two minor children, namely, Sumit and Neha states that she has settled the matter with the petitioners. In lieu of the cheated amount, the petitioners has already paid a sum of ₹50,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court vide Demand Draft No. 656231 drawn on Punjab and Sind Bank dated 4th February, 2019. She further states that she has now no claim whatsoever remaining against the petitioners and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 and 3 are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties. Petitioner No. 2 being unwell is exempted from appearing before this Court.

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. 110/2010 under Sections 468/406/471/120B/34 IPC registered at PS Sangam Vihar, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 06, 2019
‘yo’