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

+ **W.P.(CRL) 2322/2019**

DHARAMVIR CHAUDHARY & ANR. Petitioners

Through: Mr Anil Kumar, Advocate.

versus

STATE & ANR. Respondents

Through: Mr Jamal Akhtar, Advocate for Mr
Rahul Mehra, Standing Counsel for
State with SI Ranjit Tokas, PS Kotla
Mubarakpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.11.2019

1. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0391/2018 under Section 420 IPC, registered with PS Kotla Mubarakpur and all proceedings emanating therefrom, be quashed.

2. The aforementioned FIR was registered at the instance of respondent no.2. He had alleged that he had agreed to purchase a shop bearing no.1880, Uday Chand Marg, Kotla Mubarakpur, New Delhi on the basis of certain representations made by the petitioners. He had alleged that petitioner no.2 had showed him a plan, which he claimed had been approved by the MCD. On the basis of the said representations, respondent no.2 had paid an aggregate sum of ₹10 lakhs. The representations made by the petitioners

were, subsequently, found to be untrue.

3. The petitioners are present in the Court and are identified by their counsel. Respondent no.2 is present in the Court and is identified by the Investigating Officer.

4. Respondent no.2 states that the parties have settled their disputes in terms of a Settlement Agreement dated 29.11.2018. In terms of the said settlement, the petitioners had agreed to pay a sum of ₹16 lakhs to respondent no.2 in full and final settlement of all his claims. He acknowledges that a sum of ₹13 lakhs had been received earlier and on receipt of the further sum of ₹3 lakhs, he would have no claim against the petitioners.

5. The petitioners have handed over a demand draft (DD No.842685, drawn on Kotak Mahindra Bank) for a sum of ₹3 lakhs to respondent no.2. Respondent no.2 has received the same in full and final settlement of all his claims. Both the parties – the petitioners and respondent no.2 – state that they have no further grievances against each other and pray that the FIR in question be quashed.

6. In view of the statement made by the petitioners and respondent no.2, this Court considers it apposite to allow the present petition. Accordingly, the FIR No. 0391/2018 under Section 420 IPC, registered with PS Kotla Mubarakpur and all proceedings emanating therefrom are quashed.

7. The concerned parties (petitioners and respondent no.2) shall sign this

order as an acknowledgment of their statements recorded herein.

8. Order *dasti* under signatures of the court master.

NOVEMBER 06, 2019
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VIBHU BAKHRU, J