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

+ CRL.M.C. 4144/2019

SHRI PRAMOD NAGAR & ORS. Petitioners
Through Mr.Peeush Kulshreshtha, Adv.

versus

STATE & ANR. Respondents
Through Mr.Panna Lal Sharma, APP for State.
SI Satish Bhati PS Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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23.08.2019

Crl. M.A. 34104/2019

Allowed, subject to all just exceptions.

Application is disposed of.

Crl.M.C.4144/2019

Vide the present petition, the petitioners seek quashing of FIR No.254/2019 dated 20.07.2019 registered at police station Sarita Vihar instituted for the offences punishable under Sections 420/34 of the IPC and consequent proceedings arising therefrom.

Issue notice.

Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

It is stated in the present petition that due to the intervention of some respected persons of the society a memorandum of understanding was

executed dated 13.08.2019 between the petitioners and respondent no.2. The MOU is annexed as Annexure B. As per the settlement, the petitioners have agreed to pay the differences of the amount for a total amount of Rs.1,42,00,000/- and for the said amount, the petitioner No.1 executed 6 sale deeds of his residential plots, total area is 1275 sq. yards in favour of the respondent No.2 and his relative persons who invested money in the M/s Swag Production Pvt. Ltd. Sale deeds executed by petitioner No.1 is on record.

The complainant is present in person who states that matter has been settled and he does not wish to prosecute the matter any further. He has produced Identity Card issued by Wing Commander (Retired), Jila Sainik Kalyan Evam Panarvs Adhikari Gautam Budh Nagar, UP on 12.07.2017 (original seen and returned to the complainant). The complainant submits that the matter has been amicably settled and the petitioners agreed to abide by the terms of the settlement.

The petitioners have stated before this court that there is no loan amount on the properties transferred in the name of the complainant.

I hereby make it clear that the petitioners shall abide by the terms and conditions of the settlement.

Taking into account the aforesaid facts, this Court is inclined to quash the subject FIR as no useful purpose would be served in prosecuting the petitioners any further.

For the reasons afore-recorded, the of FIR No.254/2019 dated 20.07.2019 registered at police station Sarita Vihar instituted for the offences punishable under Sections 420/34 of the IPC and consequent proceedings are quashed.

The petition is allowed accordingly.

Order *dasti*.

SURESH KUMAR KAIT, J

AUGUST 23, 2019/ab