

\$~72

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

+ **W.P.(CRL) 2549/2019**

YASHPAL & ORS

..... Petitioners

Through: Mr Avadh Kaushik, Ms Akanksha
Ahuja and Ms Shreya Bhatt,
Advocates.

versus

STATE & ANR

..... Respondents

Through: Mr Piyush Singhal, Advocate for Mr
Ashish Aggarwal, ASC for State.
SI Akash, PS Kapashera.
Mr Rohit Mehra, Advocate for R-2
alongwith Mr Sandeep Jindal in
person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

11.09.2019

CRL.M.A. 35561/2019

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2549/2019

3. The petitioner has filed the present petition, *inter alia*, praying that the FIR No. 0297/2019 under Section 420 IPC and all proceedings arising therefrom, be quashed.
4. The present petition is premised on the basis of a settlement arrived at

between the petitioners and respondent no.2. A copy of the settlement deed dated 06.09.2019 is on record.

5. The said FIR was registered at the instance of respondent no.2.

6. He had, *inter alia*, alleged that the petitioner no.1 and other directors of petitioner no.2 had fraudulently transferred certain properties (three show rooms).

7. The petitioners and respondent no.2 are stated to be engaged in the business of properties since last several years.

8. It is apparent from a plain reading of the FIR in question that the allegations stated therein arise in the context of certain commercial transactions.

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

10. Respondent no.2 states that he has settled all his disputes and differences with the petitioners and no grievance against them. The petitioners also state that they have settled all their difference and disputes with respondent no.2 amicably. Both the said parties (the petitioners and respondent no.2) request that the FIR in question be quashed.

11. In view of the above, the present petition is allowed and the FIR bearing No. 0520/2018 registered with PS Kapashera, South-West District and all proceedings arrived at therefrom, are quashed.

12. The petitioners and respondent no.2 shall sign this order as an acknowledgment of their statements recorded herein.

VIBHU BAKHRU, J

SEPTEMBER 11, 2019
RK