

\$~75

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

+ W.P.(CRL) 1723/2017 & CrI.M.As. 9529/2017, 33865/2018

BALRAJ SINGH RATHI & ANR

..... Petitioner

Represented by: Mr. Prakash Gautam, Adv.

versus

STATE & ORS

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with SI
Rakesh Kumar PS Mehrauli.
Mr. Rajeev Singh Chauhan, Adv. for
R-2 to 5 with their Attorney Mr. Anil
Kr. Jain in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.01.2019

%

By the present petition the petitioners seek quashing of FIR No. 167/2012 under Sections 420/467/468/471/120B IPC registered at PS Mehrauli, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the accused and respondent No.2/ Dr. Sanjeev Kumar Jain is the complainant and besides him his three other brother-sisters namely Rajiv Kumar Jain, Deepa Jain and Poonam Jain are the other victims. She further

W.P.(CRL) 1723/2017

page 1 of 3

states that all the four complainant/ victims are represented through Anil Kumar Jain who has filed copies of the power of attorneys before this Court.

Anil Kumar Jain who is present in Court and is identified by the learned counsel and in whose favour power of attorneys have been annexed as Annexure P-6 collectively states that respondents No.2 to 5 have settled the matter with the petitioners and they have now no claim whatsoever against the petitioners and do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of Mr. Anil Kumar Jain and undertake to abide by the terms of settlement arrived at between the parties.

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. 167/2012 under Sections 420/467/468/471/120B IPC registered at PS Mehrauli, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition and applications are disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 21, 2019
‘ga’