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

+ W.P.(CRL) 3107/2018

KULDEEP PANDIT & ORS.

..... Petitioners

Through: Mr. Anupam S. Sharma, Mr. Prakarsh Airan and Mr. Apoorva Ahuja, Advocates alongwith petitioners.

Versus

STATE & ANR

..... Respondents

Through: Ms. Richa Kapoor, ASC for State alongwith Ms. Amita Sachdeva, Advocate with SI Ashish, PS-S.B. Dairy.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **27.02.2019**

This petition seeks quashing of FIR No. 757/2017 registered at Police Station, Shahbad Dairy under sections 448/380/420/467/468/471/34 IPC, on the basis of a settlement arrived at between the parties by way of Settlement Agreement dated 20.02.2018. The peaceful possession of the property bearing no. 155, Khasra No. 57/05, Village Prahlad Pur, Bangar, Delhi was handed over to and taken by the complainant. His counsel states, upon instructions, that the said property has been further sold by way of Agreement to Sell to the third party and possession of the property has been handed over to the said third party.

Since the complainant himself does not wish to pursue the complaint against the petitioner, the substratum of the complaint/FIR dissipates and

any further proceeding apropos the same FIR would be an exercise in futility. It would, therefore, be in the interest of justice to quash the FIR in question.

Following the dicta of the Supreme Court in *Gian Singh Vs. State of Punjab and Another (2012) 10 SCC 303* and *Narinder Singh & Ors. Vs. State of Punjab & Anr. 2014 6 SCC 466*, a case is made out for quashing of the FIR.

Accordingly, the aforesaid FIR and all the proceedings arising therefrom are quashed.

The petition stands disposed-off in the above terms.

NAJMI WAZIRI, J

FEBRUARY 27, 2019

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