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

Date of decision: 29.01.2020

+ CRL.M.C. 497/2020

SH. KISHOR JAISWAL Petitioner

Through: Mr. Virendra Singh, Adv.

versus

STATE & ORS.

..... Respondents

Through: Mr. Hirein Sharma, APP for State
with SI Mahipal Singh/IO, Inspector
Ram Pal Singh, PS – Prasad Nagar
Mohammad Suaib, Adv. for R-2 & 3
with R-2 and 3 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 2052/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, the petitioner seeks direction thereby quashing FIR No. 245/2018 dated 04.09.2018 registered at Police Station – Prasad Nagar, Delhi and all other proceedings emanating therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the respondent nos.2 and 3.
6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.
7. The present petition is filed on the ground that the parties have settled their disputes and the respondent Nos. 2 and 3 have no objection if the present petition is allowed.
8. Respondent No. 2 and 3 are personally present in Court and they have been identified by SI – Mahipal Singh/IO and submits that matter has been settled and they do not wish to prosecute the matter any further.
9. The petitioner and respondent nos. 2 & 3 have entered into an amicable settlement vide settlement deed dated 10.09.2018. The total settlement amount is ₹5,00,000/-(Rupees Five Lakhs). It is submitted that the respondent no. 2 has already received an amount of ₹2,35,000/- (Rupees Two Lakhs Thirty Five Thousand). A demand draft bearing No. 775231 dated 28.01.2020 for the amount of ₹2,50,000/- (Rupees Two Lakh Fifty Thousand) and Rs.15,000/- (Rupees Fifteen Thousand) have been handed over to the respondent no. 2 today in the Court.

10. Respondent no. 2, father of the deceased, has undertaken to deposit an amount of Rs.1,50,000/- in the account of his wife, namely, Ram Pari Devi within two weeks and proof of the same shall be sent by post to SHO, Police Station – Prasad Nagar.

11. Learned counsel for the petitioner prays that the present petition may be allowed.

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

13. For the reasons afore-recorded, the FIR No. FIR No. 245/2018 dated 04.09.2018 registered at Police Station – Prasad Nagar, Delhi and consequent proceedings therefrom are quashed.

14. The petition is allowed and disposed of accordingly.

Dasti.

(SURESH KUMAR KAIT)
JUDGE

JANUARY 29, 2020

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