

\$~63

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

+ **W.P.(CRL) 357/2020**

SH. MAHESH BATRA & ORS.

..... Petitioners

Through: Mr Himanshu Sharma, Advocate
along with petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr Sanjay Lao, Additional Standing
Counsel with Mr Karanjeet Sharma,
Advocate for State with Insp. Satpal
Singh, ATO PS Karol Bagh and ASI
Satyavir Singh, PS Karol Bagh.
Mr Rishabh Kaushik, Advocate for R-
2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

05.02.2020

CRL.M.A. 2623/2020

1. Allowed, subject to all just exceptions.

W.P.(CRL) 357/2020

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0254/2019, under Sections 342/323 of the IPC registered with PS Karol Bagh and all proceedings emanating therefrom, be quashed.

3. The said FIR was registered at the instance of respondent no. 2. He had alleged that he had come to buy goods from Gaffar Market, Delhi as he is in the business of selling mobile accessories. He alleged that Mahesh

Batra (petitioner no.1) had confined him in his shop and had taken ₹12 lakhs from him. He also claimed that his gold ring and gold chain had been snatched and he was physically beaten. He further alleged that petitioner no.1 had exerted pressure on him and forcibly taken ten cheques drawn on Syndicate Bank, Nangloi Branch from his mother's account. He states that he was forcibly made to sign letter for paying ₹30 lakhs in six months. It was further alleged that he was released at 8 o'clock in the said night and therefore, he was detained by the petitioners from 2 o'clock on that date.

4. Respondent no.2 is present in the Court and is identified by the Investigating Officer. He states that he has settled all his disputes with the petitioners and joins the petitioner in praying that the FIR in question be quashed.

5. The petitioners are present in the Court and are identified by their counsel. They confirm that they have settled with respondent no.2 in terms of a Memorandum of Understanding (MoU) dated 09.01.2020. They further volunteer to deposit a sum of ₹50,000/- each, with the Delhi Legal Aid (Middle Income Group) Society within a period of two weeks from today.

6. In view of the statements made by the concerned parties (petitioners and respondent no.2) and the statement to voluntarily make the deposit of ₹50,000/- each, this Court considers it apposite to allow the present petition.

7. Accordingly, FIR No. No.0254/2019, under Sections 342/323 of the IPC registered with PS Karol Bagh and all proceedings emanating therefrom are quashed subject to the petitioners depositing a sum of ₹50,000/- with the Delhi Legal Aid (Middle Income Group) Society within a period of two weeks from today. The proof of making the deposit shall be filed with the Registry of this Court within the aforesaid period.

8. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgement of their statements recorded herein.

FEBRUARY 05, 2020
MK

VIBHU BAKHRU, J