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

Date of decision: 07.02.2020

+ CRL.M.C. 687/2020 & CRL. M.A. 2839/2020

SURYAKANT

..... Petitioner

Through Ms. Sushma Sharma and Mr. Girish
Kumar Sharma, Advs.

versus

STATE & ANR.

..... Respondents

Through Mr. Panna Lal Sharma, APP for State
Mr. Karan Verma, Adv. for R-2
SI Neeraj Kumar, PS Pandav Nagar

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL. M.A. 2838/2020

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

CRL.M.C. 687/2020

3. Vide the present petition, the petitioner seeks direction thereby quashing of FIR No. 56/2013 dated 01.02.2013, registered at Police Station Pandav Nagar and all other proceedings emanating therefrom.
4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the

respondent no.2.

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 no.2 has no objection if the present petition is allowed.

8. Respondent no.2 is personally present in Court with his learned counsel and has been identified by SI Niraj Kumar/IO and submits that matter has been settled and he does not wish to prosecute the matter any further.

9. The petitioner and respondent no.2 have entered into an amicable settlement vide settlement deed executed on 26.09.202019.

10. Learned APP has opposed the present petition and submits that petitioner had cheated the complainant somewhere in the year 2011 and issued four cheques to the complainant, out of which one cheque was forged. The petitioner has paid an amount Rs. 7 lacs in lieu of forged cheque, however, as far as remaining cheques are concerned, complainant is still contesting cases against the petitioner under Section 138 of Negotiable Instruments Act, 1881. It has been further submitted that if this Court is

inclined to quash the FIR, heavy cost may be imposed upon the petitioner. He has been declared P.O. also in the present case by Trial Court. Due to the registration of FIR, the government machinery has come in motion and a lot of precious public time has been consumed.

11. At this stage, learned counsel for petitioner has come forward and has agreed to contribute an amount of Rs.50,000/- for welfare purposes. Accordingly, petitioner is directed to pay an amount of:-

- (a) Rs.25,000/- in favour of Delhi Police Martyrs Fund;
- (b) Rs.10,000/- in favour of Delhi High Court Legal Services Committee
- (c) and Rs.15,000/- in favour of Indian Army Central Welfare Fund within four weeks and copy of the same shall be furnished to the IO concerned.

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

13. For the reasons afore-recorded, the FIR No. 56/2013 dated 01.02.2013, registered at Police Station Pandav Nagar and consequent proceedings emanating therefrom are quashed.

14. The petition is allowed and disposed of accordingly.

15. Pending application stands disposed of.

16. Order *dasti* under signatures of the Court Master.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 07, 2020

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