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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL. M.C. 1547/2020 & CrI. M.A. No.8583/2020 (stay)
MANISH YADAV & ANR. Petitioners
Through: Mr. Arvind Kumar Gupta, Advocate.

versus

STATE & ANR. Respondents
Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Shubham Sharma, Advocate for
respondent No.2.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
% **10.08.2020**

The petitioners seek quashing of FIR No. 32/2018 dated 25.01.2018 registered under sections 287/427 IPC at PS: Kotla Mubarakpur, New Delhi.

2. Mr. Arvind Kumar Gupta, learned counsel for the petitioner submits that offences under sections 287/427 IPC are both non-cognizable; the offence under section 427 is also compoundable; and accordingly, no FIR could have been registered in the first place. Furthermore, Mr. Gupta draws attention to letter dated 10.05.2019 addressed by respondent No.2/BRPL to the SHO PS: Kotla Mubarakpur, New Delhi explaining the genesis of the matter and stating that since the entire expenditure incurred for restoration of the damage caused by the petitioners has been adjusted against the amounts payable by BRPL to the contractor, BRPL has no further claim or grievance on any count against the petitioners.

3. Notice in the matter was issued on 02.07.2020.
4. Status report dated 06.08.2020 has been filed by the State. Affidavit dated 03.07.2020 has also been filed by BRPL.
5. Relying upon the status report, Mr. Tarang Srivastava, learned APP submits that, other things apart, in view of the letter received from BRPL seeking to withdraw the case, the State has no objection to the quashing of the FIR, the charge-sheet and all other proceedings emanating therefrom.
6. In affidavit dated 03.07.2020, BRPL has confirmed issuing letter dated 10.05.2019 to the SHO, PS: Kotla Mubarakpur, New Delhi; the settlement of all disputes with the petitioners; and has requested that, in view of settlement agreement dated 03.05.2019, the FIR and all proceedings arising from it be quashed.
7. In view of what is recorded above, and especially considering that the offences alleged are non-cognizable; that parties have resolved their *inter se* disputes and are seeking quashing of the FIR, which is also not opposed by the State, this court sees no reason why the FIR and all proceedings arising therefrom should be kept alive or pending.
8. Accordingly, FIR No.32/2018 dated 25.01.2018 registered under sections 287/427 IPC at PS: Kotla Mubarakpur, New Delhi and all proceedings arising therefrom are hereby quashed.
9. The petition stands disposed of.
10. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

AUGUST 10, 2020

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