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

+ **W.P.(CRL) 1200/2020**

TRILOK NATH DUBEY & ANR.

..... Petitioners

Through Mr Anand Aggarwal and Mr Ashish
Aggarwal, Advocates with petitioner in person.

versus

STATE & ANR.

..... Respondents

Through Ms Nandita Rao, ASC for State.
IS Santosh Kumar Yadav, PS. Mandawali.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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14.08.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that FIR No. 307/2018 under Sections 420/406/120-B of the IPC registered with PS Mandawali Fazalpur and all proceedings emanating therefrom, be quashed.
2. The present petition is premised on a settlement arrived at between the petitioners and respondent no.2.
3. The status report has been filed, which indicates that petitioner no.2 was the sole proprietor of M/s MKD Developers and had sold the properties bearing No. 825, Gali No.1, North Block West Vinod Nagar, Delhi and E-282/5 West Vinod Nagar, to respondent no. 2 and five other persons. It is alleged that petitioner no.1 had also mortgaged the said properties with

Central Bank of India against financial assistance provided by the said Bank.

4. It is stated that the petitioners have since resolved all their disputes with the various other purchasers (complainants/victims) as well. The Investigating Officer (IO) has joined the proceedings and confirms that he has duly verified from the other complainants/victims that they have also settled their disputes with the petitioners. He states that he had called upon the other complainants to join the proceedings but they have declined to do so, stating that they have already settled the matter and therefore, are not interested in joining any proceedings.

5. The IO identifies respondent no.2, who has joined the proceedings separately. Respondent no.2 confirms that he has no surviving disputes with the petitioners and has since resolved all differences with them. Respondent no.2 joins the petitioners in praying that the FIR in question be quashed.

6. The petitioners are present in Court and they are identified by their counsel. They confirm that they have resolved all their disputes with the complainant/victim (respondent no.2).

7. In view of the statements made by the petitioners and respondent no.2, and considering that the petitioners have resolved their disputes with other victims as well, the present petition is allowed and FIR No. 307/2018 under Sections 420/406/120-B of the IPC registered with PS Mandawali Fazalpur and all proceedings emanating therefrom, are quashed.

VIBHU BAKHRU, J

AUGUST 14, 2020/pkv